

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

Latasha Holloway, *et al.*,

Plaintiffs,

v.

City of Virginia Beach, *et al.*,

Defendants

Civil Action No. 2:18-cv-0069

**PLAINTIFFS' BRIEF IN OPPOSITION TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

PLAINTIFFS' EXHIBIT 34

Deposition Transcript of Virginia Beach City Council Member Sabrina Wooten



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Transcript of Sabrina D. Wooten

Date: September 17, 2019

Case: Holloway, et al. -v- City of Virginia Beach, et al.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

-----x
LATASHA HOLLOWAY and :
GEORGIA ALLEN, :
Plaintiffs, : CASE NO.
v. : 2:18cv00069
CITY OF VIRGINIA BEACH, et al., :
Defendants. :
-----x

Deposition of SABRINA D. WOOTEN
Virginia Beach, Virginia
Tuesday, September 17, 2019
10:15 a.m.

Job No.: 262114

Pages: 1 - 161

Reported by: Penny C. Wile, RPR, RMR, CRR

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

2

1 Deposition of SABRINA D. WOOTEN, held at
2 the offices of:

3
4
5 VIRGINIA BEACH CITY ATTORNEY
6 2401 Courthouse Drive
7 Municipal Center, Building One
8 Room 260
9 Virginia Beach, VA 23456
10 (757) 385-4351
11
12
13
14
15
16

17 Pursuant to Notice, before Penny C. Wile,
18 RPR, RMR, CRR, Notary Public of the Commonwealth
19 of Virginia.
20
21
22

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

3

1 A P P E A R A N C E S
2 ON BEHALF OF THE PLAINTIFFS, LATASHA HOLLOWAY
3 AND GEORGIA ALLEN:
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10
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12 BEACH, ET AL.:
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22 Also present: Simone Leeper

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

4

C O N T E N T S

EXAMINATION OF SABRINA D. WOOTEN	PAGE
By Ms. Lang	5

E X H I B I T S

WOOTEN DEPOSITION EXHIBIT	PAGE
Exhibit 1 MBC meeting minutes 2/10/17	41
Exhibit 2 Subpoena, Sabrina Wooten	56
Exhibit 3 Resolution, DEF12954	72
Exhibit 4 Email string, DEF08175-08280	74
Exhibit 5 Email string, DEF08136-08140	83
Exhibit 6 Email string, DEF08084-08090	92
Exhibit 7 Email string, DEF08510-08540	97
Exhibit 8 Email string, DEF07836-07848	104
Exhibit 9 Email string, DEF07430-07439	108
Exhibit 10 City News, DEF10118-10309	110
Exhibit 11 Subpoena, Rosemary Wilson	138
Exhibit 12 VPAP.org screenshots	150

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

5

1 P R O C E E D I N G S

2 Whereupon,

3 S A B R I N A D . W O O T E N ,

4 after having been first duly sworn, was examined
5 and did testify under oath as follows:

6 EXAMINATION BY COUNSEL FOR THE PLAINTIFFS:

7 BY MS. LANG:

8 Q. Good morning, Ms. Wooten.

9 A. Good morning.

10 Q. Can you state your name and title for the
11 record?

12 A. Sure. Sabrina D. Wooten. And I'm
13 Virginia Beach Council Member for the Centerville
14 district, District 1.

15 Q. Have you ever been deposed before?

16 A. No.

17 Q. So I'm going to give a few basic
18 instructions, kind of the ground rules for
19 depositions.

20 The first is that depositions are
21 different than regular conversations, only insofar
22 as we have a court reporter here who is trying to

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

6

1 take down the record. And so ordinarily in common
2 parlance we'll shake our head or say uh-uh or
3 uh-huh. But that's hard for the court reporter to
4 take down, so I'd ask that you always use verbal
5 answers and say yes or no --

6 A. Okay.

7 Q. -- to questions. Is that okay?

8 A. Yes.

9 Q. And the other thing is that in common
10 conversation we usually talk over each other a
11 little bit, finish each other's sentences. That's
12 also very hard for the court reporter to take
13 down.

14 A. Okay.

15 Q. So do your best to let me finish my
16 question, and I'll do my very best to let you
17 finish your answer.

18 A. Okay. Sure.

19 Q. If you don't understand a question, please
20 ask me to clarify.

21 A. Okay.

22 Q. And if you don't ask me to clarify, I'll

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

7

1 assume you understood the question.

2 A. Okay.

3 Q. Your attorney from time to time will
4 assert objections to my questions.

5 A. Uh-huh.

6 Q. He's mostly preserving those for the
7 record. Unless he instructs you not to answer,
8 you can go ahead and answer the question.

9 A. Uh-huh. Okay.

10 Q. Okay?

11 A. Yes.

12 Q. We can take breaks whenever you like. And
13 I imagine that we will. The only thing I ask is
14 that if I've asked you a question, you answer that
15 question before we take a break. Is that okay?

16 A. Okay. Sure.

17 Q. Is there any reason you know of that you
18 cannot answer questions truthfully today?

19 A. No.

20 Q. Okay. How long have you lived in Virginia
21 Beach?

22 A. About 15 years.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

8

1 MR. BOYNTON: Not only to the substance of
2 the deposition, just before we get too deep into
3 it, to the extent it's applicable to any
4 particular questions asked today do you wish to
5 invoke legislative privilege?

6 THE DEPONENT: Yes.

7 Q. Okay. Ms. Wooten, I would ask with each
8 question that I ask that might relate to something
9 that's legislatively privileged that you need to
10 assert it with respect to each individual question
11 you're declining to answer and state that that's
12 the reason.

13 A. Uh-huh.

14 Q. The reason for that, it's your prerogative
15 to decide which things you want to discuss with
16 regard to things that might be legislatively
17 privileged, which things you're refusing to
18 discuss publicly on the basis of legislative
19 privilege. Do you understand that?

20 A. I do.

21 Q. So you said you've been living in Virginia
22 Beach for 15 years. So about how old were you

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

9

1 when you came to Virginia Beach?

2 A. Probably, I would say, doing the math, in
3 my 30s.

4 Q. Okay. Where did you grow up?

5 A. I grew up in Chesapeake, Virginia.

6 Q. Were you in Chesapeake before you moved to
7 Virginia Beach?

8 A. Correct.

9 Q. And you live in the Centerville district?

10 A. I do.

11 Q. And when -- how long have you been living
12 in the Centerville district?

13 A. In the Centerville district, probably for,
14 I guess, about 11 or 12 years.

15 Q. Okay. Can you tell me about your
16 educational background?

17 A. Sure.

18 I went to Indian River High School. I
19 went to Old Dominion where I received my BS in
20 Political Science. Then I went to Regent
21 University, received my master's degrees; one in
22 Business Management, one in Public Administration.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

10

1 And I'm currently working on my doctorate in
2 Public Administration.

3 Q. And all of that is at Regent University?

4 A. The doctorate is Walden University.

5 Q. Walden?

6 A. Correct.

7 Q. And where is Walden University?

8 A. Minnesota.

9 Q. Is that online?

10 A. That's online, yes.

11 Q. I'm sorry. What did you say your Ph.D.
12 was going to be in?

13 A. Public Administration.

14 Q. Okay. Can you tell me about your career
15 background?

16 A. Sure.

17 I've worked for a nonprofit pretty much
18 most of my life, for probably 11 years. Once I
19 left --

20 Q. What nonprofit?

21 A. Calvary Revival Church.

22 Q. What was your position there?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

11

1 A. I was an executive assistant.

2 Q. From approximately what years to what
3 years were you at Calvary Revival?

4 A. Probably somewhere from 2003 to, what was
5 it, 2018. 2018.

6 Q. Okay. When did you graduate from college?

7 A. 1997.

8 Q. Okay. What did you do between 1997 and
9 2003?

10 A. I worked for a couple of different places.
11 I worked at Mediation Center of Hampton Roads as a
12 mediator. I worked for Montagna, Klein & Camden
13 as a paralegal.

14 Q. Okay. And what were your job
15 responsibilities as executive assistant at Calvary
16 Revival?

17 A. I worked directly for the senior founding
18 pastor and carried out administrative duties.

19 Q. And who was the senior founding pastor?

20 A. Bishop Courtney McBath.

21 Q. And where is Calvary Revival?

22 A. Norfolk, Virginia.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

12

1 Q. Is that a historically black church?

2 A. It is, yes.

3 Q. Okay. Did you have any other jobs,
4 besides working at Calvary Revival, during that
5 time period?

6 A. Not during that time period.

7 Q. Okay. And what led you to leave Calvary
8 Revival in 2018?

9 A. 2018 I received an opportunity at another
10 local church in Chesapeake. And I served there as
11 their administrative pastor.

12 Q. And what church is that?

13 A. It is Parkway Christian Center.

14 Q. And are you currently in that position?

15 A. No.

16 Q. When did you leave that position?

17 A. Shortly after I won my position as Council
18 member.

19 Q. And when in 2018 did you join Chesapeake
20 Parkway Christian Center?

21 A. Sometime in, I believe it was, August.

22 Q. So you were only there for a few months?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

13

1 A. I think I -- I hope that's right. Either
2 I started -- because I was there for about a year,
3 so it could have been I left in 2017.

4 Q. Okay. So --

5 A. I think I left Calvary in 2017, started at
6 Parkway in 2017, because it was about a year and a
7 few months.

8 Q. Okay.

9 A. A year and a few months.

10 Q. So you think maybe August 2017,
11 approximately?

12 A. I believe that's around that time.

13 Q. And is Parkway Christian Center a
14 historically black church?

15 A. No.

16 Q. And how did this new opportunity at
17 Parkway arise?

18 A. They found my information on a local
19 website -- I believe it was Indeed -- and they
20 called me and offered an opportunity.

21 Q. Okay. So they reached out to you?

22 A. Correct.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

14

1 Q. Okay. And you didn't know anyone there
2 prior to --

3 A. Correct.

4 Q. Okay. And who reached out to you?

5 A. The pastor, Robbie Jones.

6 Q. Okay. What did you do to prepare for this
7 deposition today? And I'll preface that by saying
8 I'm going to ask you a series of questions about
9 what you did to prepare. At no point do I want
10 you to tell me what your attorneys told you. You
11 can tell me if you met with them, when you met
12 with them, but do not tell me any of the substance
13 of what your attorneys told you.

14 So with that caveat --

15 MR. BOYNTON: That goes into what you told
16 your attorneys, too. It's a two-way conversation.
17 So the substance of conversations with attorneys
18 are attorney-client privileged. But you can
19 answer questions relating to whether there was a
20 meeting, when it occurred, that type of thing.

21 THE DEPONENT: Okay.

22 Q. So with that background, what did you do

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

15

1 to prepare for this deposition today?

2 A. I met with the attorney yesterday. And I
3 don't remember how long it was. But I did come in
4 and meet with the attorney. And that's pretty
5 much it.

6 Q. And who did you meet with?

7 A. Attorney Chris Boynton.

8 Q. Okay.

9 THE DEPONENT: Did I pronounce that right?

10 MR. BOYNTON: Yes.

11 A. Okay.

12 Q. Did you have any other prior meetings with
13 him about this deposition?

14 A. No.

15 Q. Okay. Did you look over any documents
16 while you were preparing for this deposition?

17 A. Yes.

18 Q. Okay. What documents did you look at?

19 A. I believe it was my answers to the
20 subpoena that I received.

21 Q. Did you talk to any other -- anyone else
22 about this deposition today?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

16

1 A. No.

2 Q. Did you bring any documents with you
3 today?

4 A. No.

5 Q. Okay. There is a trial scheduled for this
6 case, currently scheduled for January 14th, 2020.
7 Do you know of any reason you wouldn't be
8 available at that time if you needed to testify?

9 A. Not at this time.

10 Q. Okay. As a City Council member, do you
11 have a City Council email address?

12 A. I do.

13 Q. Okay. And is that @vbgov?

14 A. Yes.

15 Q. Okay. And do you have personal email
16 addresses?

17 A. Yes.

18 Q. Okay. How many personal email addresses
19 do you have?

20 A. Probably -- let me think -- at least five
21 or six different ones.

22 Q. And what are those?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

17

1 A. Oh. I'd have to look them up. I'd have
2 to look them up on my phone. I don't have them.
3 You want to know the specific email address?

4 MR. BOYNTON: Don't refer to anything
5 unless she asks you to. Just go off the top of
6 your head as best you can.

7 Q. I'm not looking for -- you don't have to
8 give me the full name.

9 A. Okay.

10 Q. Gmail, Yahoo, et cetera? What are the
11 different servers?

12 A. Gmail. I have one for Regent. I have one
13 for ODU. And, then, iCloud. I think that's about
14 it because I have a couple for Gmail.

15 Q. Okay.

16 A. And some of those are business accounts.

17 Q. Okay. Do you have any other employment at
18 this time, other than City Council?

19 A. I work for Old Dominion University.

20 Q. In what capacity?

21 A. As their Adjunct Professor.

22 Q. And when did you start doing that?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

18

1 A. That was the end of August. I can't
2 remember the exact date, but the end of August of
3 this year, 2019.

4 Q. Okay. So just a few weeks ago?

5 A. Uh-huh.

6 Q. Okay. And what are you teaching?

7 A. African American Studies.

8 Q. Are you teaching this semester?

9 A. Yes.

10 Q. One class or two classes?

11 A. Two.

12 Q. Do you have any other employment?

13 A. No. That's it.

14 Q. You mentioned business emails. What kind
15 of business emails do you have?

16 A. Related to ODU. Regent is more still from
17 being a student.

18 Q. Okay.

19 A. I do, also -- and I don't see that as a
20 full-time position, but I do have a mediation
21 firm, but I haven't done any specific work in it.

22 Q. For how long have you not done any work in

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

19

1 mediation?

2 A. It's been -- it's been a few years.

3 Q. Okay. Any other kind of entrepreneurial
4 pursuits?

5 A. No.

6 Q. You mentioned iCloud. What types of
7 personal or official servers do you use to save
8 documents?

9 A. You know, I don't know. I'm not sure what
10 server iCloud uses except for Apple. Are you
11 speaking of Apple?

12 Q. What kind of services do you use?

13 A. Services. I thought you said server.
14 Sorry. Services?

15 Q. Yes.

16 A. That particular account was set up for my
17 mediation service.

18 Q. Do you use Dropbox or Box or any other
19 cloud services?

20 A. No.

21 Q. Where are documents that you have for
22 Virginia Beach business saved?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

20

1 A. They're saved in Gmail -- my Gmail account
2 and the city account.

3 Q. Okay. Do you have a city computer?

4 A. No.

5 Q. Okay. Does the city have a shared drive
6 or anywhere where you can save documents outside
7 of your email?

8 A. I believe they do, but I don't use it.

9 Q. Okay. Do you have a city cellphone?

10 A. No.

11 Q. Do you have a personal laptop?

12 A. Yes.

13 Q. Do you use that for conducting city
14 business?

15 A. Sending emails.

16 Q. If you needed to create a document, you
17 know, an agenda or whatnot, would you use your
18 personal laptop for that? What would you use to
19 create that document?

20 A. If I did need to create one, it would be
21 on my personal laptop.

22 Q. Okay. If somebody sent you a document and

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

21

1 you wanted to keep it to look at later, where
2 would you save that?

3 A. It would be on my personal computer.

4 Q. Do you ever text message with City Council
5 members?

6 A. I do.

7 Q. Who do you text message with?

8 A. I've sent text messages to Jim Wood and
9 Rosemary Wilson.

10 Q. Anyone else?

11 A. I think I've also sent some -- to the best
12 of my recollection, in the past I've sent some to
13 Aaron Rouse. That's all I can remember at this
14 time. And Michael Berlucchi.

15 Q. Okay. And do you use any other messaging
16 applications, like WhatsApp or Slack or any other
17 form of communication, with your City Council
18 members?

19 A. No.

20 Q. So just email, text message, and, then,
21 in-person and phone communications? Is that it?

22 A. Correct.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

22

1 Q. Okay. Do you have social media accounts?

2 A. Yes.

3 Q. Okay. What kind of social media accounts
4 do you have?

5 A. Facebook, Twitter.

6 Q. Instagram?

7 A. I do have Instagram and Snapchat.

8 Q. If you had paper copies of documents from
9 a meeting or a City Council Forum or something,
10 where do you keep those hard copy documents?

11 A. I usually keep them at home.

12 Q. Do you have a home office or a filing
13 cabinet or something along those lines?

14 A. I do have a home office.

15 Q. During the campaign, did you have campaign
16 staff?

17 A. Yes.

18 Q. And who were they?

19 A. Sabrina Brown. And they were -- and you
20 want to include volunteers, as well?

21 Q. Let's start with paid staff. So who is
22 Sabrina Brown? What was her position?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

23

1 A. So Sabrina Brown was a volunteer. So I
2 did not have any paid staff. They were all
3 volunteers.

4 Q. So you didn't pay anyone in any way for --

5 A. I did pay Tara. She did administrative
6 work for me. Her name is -- what is her last
7 name? I can't think of her last name right now.

8 Q. Fair enough.

9 And she did administrative work for you?

10 A. Yes.

11 Q. Did you have a campaign manager?

12 A. No.

13 Q. Okay. Who were some other volunteers for
14 your campaign?

15 A. Well, Sabrina Brown was a volunteer.
16 Cheryl Wolfe.

17 Q. Cheryl?

18 A. Cheryl Wolfe. Robin Hill. Tameka Cannon.
19 A young lady by the name of Anne, but I can't
20 think of her name. And there were a lot of
21 volunteers who knocked on doors. I don't know
22 their names.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

24

1 Q. Fair enough.

2 And Sabrina Brown, what did she do for the
3 campaign?

4 A. She did -- she worked with the volunteers.
5 She was, kind of, part of my core team.

6 Q. Okay. Were Tameka and Robin, Cheryl, and
7 Sabrina all members of your core team?

8 A. Yes.

9 Q. And was that the totality for your core
10 team for the campaign?

11 A. I also had -- he was more of a -- he did
12 social media for me.

13 Q. And who was that?

14 A. And his name is Chance Wilson. He was,
15 pretty much, more of an independent contractor,
16 though, as well as Brian Kerwin.

17 Q. Okay. And were they paid?

18 A. Yes.

19 Q. And they did social media?

20 A. Chance Wilson did social media. Brian
21 Kerwin was more -- what's the word he called it?
22 He wasn't a -- he was more of -- I don't want to

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

25

1 say a political strategist, but maybe that's his
2 title.

3 Q. Fair enough.

4 How did you get to know Chance Wilson and
5 Brian Kerwin?

6 A. I've known Chance Wilson just through
7 personal reference, and he did some business work
8 for me.

9 Q. And who introduced you to Chance?

10 A. I think I probably -- I met him during a
11 function. I met him doing a function for the
12 community. It was a community function. He was
13 leading it, and I met him at that point.

14 Q. Do you remember who organized that
15 community function?

16 A. He did.

17 Q. Okay. And what about Brian Kerwin?

18 A. Brian Kerwin, he was referred to me by
19 Rosemary Wilson.

20 Q. Were any other members of your team
21 referred to you by Rosemary?

22 A. No.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

26

1 Q. What about by Mayor Dyer?

2 A. No.

3 Q. During your campaign I imagine you had
4 materials that you used?

5 A. Uh-huh.

6 Q. Documents such as flyers or handouts; is
7 that right?

8 A. Correct.

9 Q. And did you email back and forth with
10 members of your team?

11 A. Yes.

12 Q. Where would your campaign materials be
13 found now?

14 A. On my personal laptop.

15 Q. Okay. And in your personal emails?

16 A. Correct.

17 Q. Okay. We've asked for documents in this
18 case, as you are aware. I first want to talk
19 about the documents we've asked for from the city
20 in your official capacity.

21 Did your attorneys prepare your responses,
22 on behalf of the city, for documents?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

27

1 MR. BOYNTON: Object to the form of the
2 question.

3 A. You know, I don't know what they did. I
4 can't speak to that.

5 Q. Were you involved in any way in
6 identifying documents for the -- putting aside the
7 subpoena, were you involved in any way in
8 identifying documents that might be responsive to
9 the documents we asked for in this case?

10 A. No.

11 Q. Okay. And so you don't know how they went
12 about finding documents that may or may not be
13 responsive?

14 A. If -- the only thing I know of is the
15 subpoena that I received.

16 Q. Okay. Yeah.

17 And when you received that subpoena, how
18 did you go about looking for documents that would
19 be responsive?

20 A. Through my personal email that I used for
21 my campaign.

22 Q. So what email address did you search?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

28

1 A. That's Wooten -- wootensabrina@gmail.com.

2 Q. Did you search any other emails?

3 A. I also looked through -- but that wouldn't
4 have been campaign information. Campaign
5 information wouldn't have gone through vbgov. It
6 would have been just that one email.

7 Q. The subpoena didn't ask only for campaign
8 documents; is that right?

9 A. I don't recall.

10 Q. Okay. But the only email address you
11 looked at was wootensabrina@gmail.com, correct?

12 MR. BOYNTON: Object to the form of the
13 question.

14 A. No.

15 Q. That's not correct?

16 A. I looked through Gmail and vbgov.

17 Q. And vbgov?

18 A. And I said before that it was not related
19 to campaign. So I was thinking that you were
20 referring to campaign, so...

21 Q. Okay. Did you look through your social
22 media accounts for documents that might be

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

29

1 responsive?

2 A. No.

3 Q. What about your text messages?

4 A. No.

5 Q. Did you look on your personal laptop for
6 saved documents?

7 A. I did.

8 Q. Did you find any?

9 A. Whatever I found, I sent it in pertaining
10 to the subpoena.

11 Q. How did you go about searching your Gmail?
12 Did you use search terms?

13 A. Yes.

14 Q. Okay. What search terms did you use?

15 A. I can't remember all of them. Whatever
16 was asked in the subpoena.

17 Q. Okay. Do you have those search terms
18 somewhere?

19 A. No. I didn't record them.

20 Q. So there were no search terms in the
21 subpoena. So do you know how you went about
22 figuring out what search terms to use?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

30

1 A. Related to the subpoena, if it asked for a
2 specific subject matter, whatever the specific
3 subject matter was at that time.

4 Q. Okay. Did you look at iCloud?

5 A. No.

6 Q. Would it be correct to say that the only
7 places you looked for responsive documents were
8 your Gmail -- wootensabrina@gmail.com, your vbgov
9 email, and your personal laptop?

10 A. Correct.

11 Q. Okay. Did you look through your hard copy
12 documents in your home office?

13 A. I did.

14 Q. And how did you go about doing that?

15 A. Just if it was something pertaining to the
16 subpoena. I remember something related to the
17 Hampton Roads Chamber. There was a letter that I
18 still kept or still had. And I sent that
19 information in.

20 Q. Okay. Great. Thank you.

21 I imagine I know the answer to this. But
22 are you a registered voter?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

31

1 A. Yes.

2 Q. How long have you been a registered voter?

3 A. I don't know. For a long time. Probably
4 since I was 18.

5 Q. And do you vote regularly?

6 A. I do.

7 Q. Okay. Prior to your 2018 candidacy, were
8 you politically active?

9 A. Yes.

10 Q. Okay. How so?

11 A. I served as -- volunteered when I was in
12 college on several campaigns.

13 Q. What campaigns?

14 A. The best of my recollection, I served on
15 Tim Kaine's campaign. I can't remember what he
16 was running for. It was many years ago.
17 Senator -- well, Warner's campaign. I also served
18 as a surrogate speaker for -- at that time
19 Jerrauld Jones was in office or during his
20 campaign.

21 Q. Jerrauld Jones?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

32

1 And, then, I was appointed for -- on a
2 commission or something to that nature for --
3 probably -- I can't think of his name. I can't
4 think of it right now. I've always served on --
5 volunteered during the -- on campaigns that I
6 listed. And there was one that I was appointed to
7 on a commission, but I can't think of the name
8 right now.

9 Q. Fair enough.

10 What kind of commission was that?

11 A. It was focused on juvenile -- juvenile --
12 well, just juvenile matters.

13 Q. Okay. Related to criminal justice or --

14 A. Yes.

15 Q. Do you remember when, abouts, that was?

16 A. No. I don't recall.

17 Q. Had you ever run for political office
18 before 2019?

19 A. No.

20 Q. Other than this one appointment to a
21 commission on juvenile matters, had you ever been
22 appointed to a commission?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

33

1 A. No.

2 Q. Okay. You served on the Virginia Beach
3 Minority Business Council, right?

4 A. Yes.

5 Q. Okay.

6 A. And I have been appointed to other -- for
7 Virginia Beach for other commissions. The Process
8 Improvement Committee was one. And there are
9 probably a few others for the city. I think those
10 are the ones that come to mind.

11 Q. And was that after your election, before
12 your election?

13 A. I think that was before. That was before.

14 Q. Minority Business Council and Process
15 Improvement Council?

16 A. Yes.

17 Q. Okay. What's the Process Improvement
18 Council?

19 A. That's a commission that was set up by
20 Mayor Bob Dyer. It looks at processes and
21 procedures.

22 Q. What kinds of processes and procedures?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

34

1 A. For the city.

2 Q. Okay. Who else is on that committee?

3 A. I can't tell you everybody. I don't know.

4 Q. Could you name a couple of people that are
5 on it?

6 A. Mayor Dyer.

7 Q. Other than Mayor Dyer?

8 A. I haven't really been to the meetings in a
9 while. I'm sorry. I can't remember everybody's
10 name.

11 Q. Do you remember when you were appointed to
12 that committee?

13 A. It could have been sometime -- it could
14 have been 2015. I'm not sure.

15 Q. Okay. Were you -- did Mayor Dyer ask you
16 to join the committee?

17 A. He did.

18 Q. Okay. What kinds of activities has the
19 committee done since you've been a member?

20 A. They've actually participated in quite a
21 few projects, but, the ones I can recall, they
22 worked on the food trucks ordinance.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

35

1 Q. What's that?

2 A. The ordinance dealing with the food trucks
3 and their involvement in the city.

4 Q. Okay. And does it provide licensing
5 requirements? How did it regulate food trucks?

6 A. The specifics -- I can't recall the
7 details of it.

8 Q. Okay. Any other projects the Process
9 Committee has been involved in?

10 A. They've been involved in a lot. I can't
11 recall all of them, though.

12 Q. Any other ones you've worked on?

13 A. I can't recall.

14 Q. Okay. How often does the committee meet?

15 A. They usually meet pretty -- the last
16 Wednesday of each month. But I haven't attended
17 meetings since I've been elected. It's been a
18 while.

19 Q. Prior to -- outside of the campaigns you
20 worked on prior to 2018, did you ever endorse
21 anybody for Virginia Beach City Council?

22 A. Prior to the campaign?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

36

1 Q. (Moved head up and down.)

2 A. No.

3 Q. And did you ever work for any campaign for
4 City Council prior to your own campaign?

5 A. No.

6 Q. Okay. Have you ever donated to any City
7 Council election prior to the 2018 cycle?

8 A. No.

9 Q. Have you ever donated to any campaign
10 before?

11 A. Before my election?

12 Q. Yes.

13 A. I don't recall campaign donations.

14 Q. Okay. Have you ever worked on any other
15 Virginia Beach elections outside of the 2018
16 campaign?

17 A. No.

18 Q. There is a 2019 special election coming up
19 in Virginia Beach; is that correct?

20 A. Yes.

21 Q. All right. Are you supporting any of the
22 candidates that are standing for office?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

37

1 A. And by supporting, can you be more
2 specific?

3 Q. Sure.

4 Have you endorsed anyone for the 2019
5 special elections?

6 A. I have endorsed -- but, you know, I
7 haven't gone on record. I've been a part of host
8 committees for Michael Berlucchi. And I'm on a
9 host committee for Council Member Rosemary Wilson.

10 Q. Okay. What does it mean to be on a host
11 committee?

12 A. Just, basically, you're using your name,
13 and you come out to the event.

14 Q. Have you attended any events yet for
15 either of those candidates?

16 A. Yes.

17 Q. Okay. How many?

18 A. Probably, I guess, one of each.

19 Q. Have you contributed to their campaigns?

20 A. No.

21 Q. Okay. Have you volunteered for any other
22 campaigns for the 2019 special election?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

38

1 A. No.

2 Q. The two candidates that you are supporting
3 are Berlucchi and Wilson; is that correct?

4 A. Correct.

5 Q. When did you join the Minority Business
6 Council for Virginia Beach?

7 A. I believe it was in 2015.

8 Q. Okay. And who invited you to be part of
9 the Minority Business Council?

10 A. No one.

11 Q. Okay. So how did you become a member of
12 the Minority Business Council?

13 A. Just looked the information up and
14 applied.

15 Q. And who did you have to apply to?

16 A. There was at the time a contact person
17 email. I think it was a generic email. Just sent
18 the information in to that email.

19 Q. Sure.

20 And what was the form of that application?
21 Is it just an email or did it have documents
22 attached?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

39

1 A. They -- I believe they asked for your
2 résumé. And I sent my résumé.

3 Q. And from what email would you have sent
4 your résumé?

5 A. Probably Gmail; wootensabrina@gmail.com.

6 Q. Are you still on the Minority Business
7 Council?

8 A. No.

9 Q. When did you leave?

10 A. Shortly after I was elected.

11 Q. And what positions did you hold on the
12 Minority Business Council?

13 A. Vice Chair, and also, I think it was,
14 maybe, Director of Outreach.

15 Q. When did you serve as Vice Chair?

16 A. I think I was elected as Vice Chair
17 probably the year prior to me being elected, maybe
18 2017 or the end of 2016.

19 Q. What about the Director of Outreach?

20 A. That was earlier, I believe. Well,
21 probably 2016.

22 Q. And before that, were you just an

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

40

1 associate or what was --

2 A. Correct.

3 Q. Okay. Associate.

4 Did you sign up for the Minority Business
5 Council because of your own mediation business or
6 what drew you to apply to the Minority Business
7 Council?

8 A. Just wanted to be more involved in
9 business in the city. And that was one of the
10 opportunities I found on the website.

11 Q. Did anybody encourage you to apply to the
12 Minority Business Council?

13 A. No.

14 Q. Okay. What are some of the projects you
15 worked on while you were at -- while you were on
16 the Minority Business Council?

17 A. I mainly worked on events. They have a
18 couple of events each year that they promote for
19 businesses. So my job was to do the outreach,
20 inviting people to come, and then putting together
21 information and show how I supported reaching out
22 to different people and organizations.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

41

1 Q. Okay. And how often did the Council meet?

2 A. I believe they met every -- every month,
3 the second -- I think the first Friday of every
4 month or something like that.

5 Q. And there were City Council liaisons for
6 the Minority Business Council; is that correct?

7 A. Yes.

8 Q. And who were they while you were on that
9 Council?

10 A. I believe it was Shannon Kane and Bob
11 Dyer.

12 MS. LANG: I'm going to mark this Exhibit
13 1.

14 (Exhibit 1 was marked and
15 attached to the transcript.)

16 Q. These are materials that have been
17 provided by the city to our office. And this
18 appears to be an agenda for the Minority Business
19 Council for February 10, 2017. And attached are a
20 number of related materials to the Minority
21 Business Council.

22 If you look at the second page, it lists

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

42

1 you as on the Minority Awareness Committee; is
2 that right?

3 A. Correct.

4 Q. And what did the Minority Awareness
5 Committee do?

6 A. Basically, focused on social media and
7 making sure social media presence was there for
8 the MBC.

9 Q. And did you run the social media accounts
10 for the MBC?

11 A. No. Ms. Harrison did.

12 Q. Okay. Did the Minority Awareness
13 Committee meet separately from the MBC meetings?

14 A. Yes.

15 Q. Okay. How often?

16 A. Right before -- generally, right before
17 the scheduled meeting for the MBC.

18 Q. Okay. And if you look at what's marked
19 DEF12853, it's a few pages on --

20 MR. BOYNTON: What number?

21 Q. 12853.

22 These appear to be minutes from the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

43

1 January 13, 2017 meeting; is that right?

2 A. Yes.

3 Q. And under the first agenda item, the
4 discussion lists industry hour with Bruce Smith.
5 Do you see that?

6 A. Yes.

7 Q. Okay. And there is a description of
8 Mr. Smith's presentation in the action items area.
9 I can give you a moment to review it, if you
10 could.

11 A. Okay.

12 Q. So Mr. Smith spoke about a number of
13 concerns he had related to minority access to
14 business opportunities in Virginia Beach; is that
15 right?

16 A. Yes.

17 Q. Okay. And are you familiar with the open
18 letter that he sent to Mayor Sessoms?

19 A. I don't recall reading it.

20 Q. Okay. Do you -- did you share Mr. Smith's
21 concerns about minority access for business
22 opportunities with the City of Virginia Beach?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

44

1 A. Yes.

2 Q. Okay. Did you consider his critiques of
3 access to -- opportunities for minority firms in
4 Virginia Beach to be fair criticisms?

5 A. You know, I can't say what -- I don't know
6 what his specific experience was, so I can't speak
7 to what he experienced, so I don't know if it
8 would be fair.

9 Q. Okay. But you shared his overall
10 concerns?

11 A. Yes.

12 Q. Okay. And later on in this description it
13 says that Ms. Johnson made a motion for the MBC to
14 reaffirm the request from 2011 to move forward
15 with presenting the MBC's support for a disparity
16 study to City Council. Do you understand that to
17 mean that the MBC had previously asked for a
18 disparity study in 2011?

19 A. Correct.

20 Q. And were they successful in getting a
21 disparity study in 2011?

22 A. Based off of this information, I'd say no.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

45

1 Q. Okay. And at the bottom it says,
2 Following the vote Councilman Dyer provided
3 feedback affirming the intent of City Council to
4 move forward with exploring the disparity for the
5 city, stating that the topic has already been
6 added to an agenda item for the City Council's
7 retreat.

8 MR. BOYNTON: I'm going to object to the
9 form of the question because your reading omitted
10 one word, study.

11 Q. Do you know when the City Council actually
12 authorized the disparity study?

13 A. I don't remember the date.

14 Q. Was it in 2017?

15 A. I'm not sure.

16 Q. Okay. When did the study results come
17 out?

18 A. I don't remember.

19 Q. Okay. If you can turn to DEF12862.

20 MR. BOYNTON: Can I help?

21 There you go.

22 Q. This appears to be a PowerPoint -- a set

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

46

1 of PowerPoint slides from the Minority Business
2 Council. And it indicates that in 2008 the City
3 Council adopted an aspirational goal of 10 percent
4 for minority- and woman-owned business
5 expenditures; is that right?

6 A. Yes.

7 Q. To your knowledge, did the city ever meet
8 that aspirational goal of 10 percent?

9 A. I don't believe so.

10 Q. Okay.

11 MR. BOYNTON: Keep the sticker ones over
12 here with the court reporter.

13 THE DEPONENT: Okay.

14 Q. Earlier you testified you've lived in
15 Virginia Beach for about 15 years or so; is that
16 right?

17 A. Yes.

18 Q. During that time has the minority
19 population in Virginia Beach grown? And I'll go
20 ahead and define the term minority to include a
21 number of racial minority groups: African
22 American, Latino, and Asian minority groups.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

47

1 MR. BOYNTON: Objection to the extent it
2 calls for expertise. Obviously, she can answer on
3 her personal knowledge.

4 A. I don't know.

5 Q. Okay. Which neighborhoods in the city
6 would you consider to be historically or
7 predominantly African American neighborhoods?

8 A. Queen City and Seatack.

9 Q. Any others?

10 A. That's all that I can think of.

11 Q. Are those areas in your district?

12 A. No.

13 Q. Do you -- can you think of any
14 neighborhoods that you would consider to be
15 predominantly or historically Latino
16 neighborhoods?

17 A. No.

18 Q. How about Asian American neighborhoods?

19 A. No.

20 Q. Okay. Your district, Centerville, is a
21 majority minority district; is that right?

22 A. We have a diverse makeup, so I can't say

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

48

1 that it's majority minority. I can't say for
2 sure.

3 Q. Okay. You're not sure what the exact
4 racial makeup of your district is?

5 A. I don't have the specifics. I don't know
6 the percentages.

7 Q. Fair enough.

8 A. So I can't say majority or not.

9 Q. Are you aware that after -- in 2011 the
10 city drew the Centerville district to be a
11 district that would be majority minority?

12 A. No.

13 Q. Okay. When were you sworn in to City
14 Council?

15 A. November 2018.

16 Q. What position -- you were taking over for
17 Mayor Dyer's seat; is that right?

18 A. Yes.

19 Q. Okay. What are your job duties as City
20 Council member?

21 A. I engage with the community constituents,
22 attend meetings, City Council meetings, workshops,

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

49

1 and meet the needs of the constituents.

2 Q. Are you involved in the budget process?

3 A. Yes.

4 Q. Does the City Council approve the budget?

5 A. Yes.

6 Q. What City Council -- what city positions
7 are appointed by the City Council?

8 A. I believe, of course, the City Manager,
9 City Attorney, I believe the City Auditor. That's
10 all that I can recall.

11 Q. What's the scope of the legislative
12 authority of the City Council?

13 MR. BOYNTON: And just to be clear,
14 obviously you can't offer a legal opinion, but you
15 can tell her your understanding of your role or
16 the City Council's role in the process.

17 Q. Yes.

18 A. So we are a legislative body that approves
19 ordinances, resolutions, as it pertains to the
20 city.

21 Q. What's the difference between an ordinance
22 and a resolution?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

50

1 A. Ordinances are more statute-based;
2 resolutions are not.

3 Q. So are -- would it be fair to say that
4 resolutions are non-binding?

5 MR. BOYNTON: Object to the form of the
6 question to the extent it gets into legal
7 opinions.

8 You can answer.

9 A. Could you repeat your question?

10 Q. Are resolutions binding or non-binding?

11 A. They are binding.

12 Q. Can they be enforced by a court?

13 MR. BOYNTON: Same objection as to legal
14 opinions.

15 A. I'm not sure.

16 Q. Okay. What are the ways in which you
17 communicate directly with your constituents?

18 A. Social media, community meetings,
19 telephone calls, emails, and one-on-one personal
20 meetings.

21 Q. Do you have any staff that work for you as
22 a City Council member?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

51

1 A. Not directly for me, no.

2 Q. Okay. Do you have any staff that you can
3 rely upon for planning various city business?

4 A. I have volunteers.

5 Q. Okay. Who are some of your volunteers?

6 A. Sabrina Brown, Chance Wilson. Those are
7 the two people I, pretty much, rely upon.

8 Q. And who is Sabrina Brown?

9 A. She was a part of my core team. She's a
10 volunteer and a friend.

11 Q. And how did you meet Ms. Brown?

12 A. At church.

13 Q. Okay. At Parkway?

14 A. No. Calvary Revival Church.

15 Q. Did anyone from Parkway volunteer in your
16 campaign?

17 A. No.

18 Q. Or donate to your campaign?

19 A. I don't recall.

20 Q. Okay. Since becoming a City Council
21 member, have you been involved in any litigation
22 other than this case?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

52

1 A. No.

2 Q. How many community meetings have you held
3 since you became City Council member?

4 A. It's over -- I'm sure it's over five.

5 Q. Okay. And where do you hold those
6 meetings?

7 A. Schools. Sometimes other city buildings,
8 upon availability.

9 Q. Uh-huh.

10 And do they ordinarily have a specific
11 topic or are they just, kind of, open forums, town
12 halls?

13 A. Community meetings. Pretty much
14 they're -- pretty much -- though there are some
15 subjects I may cover, depending on what has
16 happened, pretty much people can ask whatever
17 questions they want.

18 Q. Okay.

19 A. So it's, pretty much, a citizen engagement
20 format.

21 Q. And how do you advertise those community
22 meetings?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

53

1 A. Usually on social media: Facebook,
2 Twitter.

3 Q. Do you get pretty good attendance at those
4 meetings?

5 A. Usually.

6 Q. About how many people?

7 A. Community meetings, probably 20 -- 10 to
8 20 people.

9 Q. Are there some constituents that regularly
10 attend those meetings?

11 A. Yes.

12 Q. And who are they?

13 A. I can't say their names for -- their
14 specific names. I know their faces.

15 Q. Okay. You can't remember any names?

16 A. No.

17 Q. Okay. Since becoming a City Council
18 member, have you done anything to particularly
19 reach out to African American leadership in
20 Virginia Beach?

21 A. Yes.

22 Q. Can you describe some of those activities

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

54

1 to me?

2 A. I've sent -- well, I've done community
3 leadership meetings where I've sent emails to
4 International -- Denomination Ministry.

5 Q. The Interdenominational Ministers
6 Conference?

7 A. Yes. Sent information out to them, and to
8 black churches, just to let them know what I'm
9 doing and to engage their participation.

10 Q. Absolutely.

11 Have you done anything to reach out to the
12 Asian community in particular?

13 A. Yes.

14 Q. And what have you done to reach out to the
15 Asian community?

16 A. I attend their meetings, their community
17 meetings, business meetings.

18 Q. And who organizes the Asian American
19 community meetings?

20 A. At that time the president was Petula Moy.

21 Q. Petula Moy?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

55

1 Q. Who is the president now? Do you know?

2 A. I don't know.

3 Q. Where do they usually hold those meetings?

4 A. They have different locations, so they
5 vary.

6 Q. How many of those meetings have you
7 attended?

8 A. Maybe two or three.

9 Q. Have you done anything in particular to
10 reach out to the Latino community?

11 A. I have attended the Hispanic business
12 meetings and events.

13 Q. Is that the Hispanic Chamber of Commerce
14 or --

15 A. Yes.

16 Q. -- what's the name of the group?

17 A. Hispanic Chamber.

18 Q. Do you know who heads up the Hispanic
19 Chamber?

20 A. I believe his name is Julian Baena.

21 Q. Julian Baena?

22 A. I believe that's his last name.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

56

1 Q. Okay. Do you know anyone else who's
2 involved in the Hispanic Chamber?

3 A. I can't think of the names now.

4 Q. Fair enough.

5 I don't mean for it to sound like a pop
6 quiz.

7 A. No. No.

8 MS. LANG: I'm going to mark Exhibit 2.

9 (Exhibit 2 was marked and
10 attached to the transcript.)

11 Q. And this should be familiar to you. It's
12 the subpoena you received; is that correct?

13 A. Yes.

14 Q. And attached to it are the responsive
15 documents that you provided to us?

16 A. Yes.

17 Q. And I want to turn to the second email
18 attached to the subpoena. And it's your email
19 where the subject line is Community Leader
20 Meeting-RSVP requested, from December 5, 2018. Do
21 you see that?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

57

1 Q. And you used your wootensabrina@gmail for
2 this email?

3 A. Yes.

4 Q. And there is a long list of emails here.
5 I'm wondering, how did you compile this email
6 list?

7 A. Dr. Allen, who's listed here, reached out
8 to me, and so I just reciprocated the information.

9 Q. Okay. And did he provide you this email
10 list of all of these individuals?

11 A. Yes, through a previous email he sent to
12 me.

13 Q. Okay. And it is your understanding that
14 this email list is primarily comprised of members
15 of the Interdenominational Ministers Conference?

16 A. Correct.

17 Q. Okay. Had you ever met Dr. Allen prior to
18 your 2018 campaign?

19 A. No.

20 Q. When was the first time you met him?

21 A. I met him at the time -- actually, at the
22 time that I was thinking about running. And I met

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

58

1 him at an African American Committee meeting.

2 Q. And when, abouts, was that?

3 A. Probably sometime -- I can't say for sure.

4 Maybe March or April of 2018, maybe.

5 Q. Had you met anybody who was on the
6 Interdenominational Ministers Conference before
7 2018?

8 A. Yes.

9 Q. Who?

10 A. Mr. McCollum; Gary McCollum.

11 Q. And when did you meet Mr. McCollum?

12 A. He came to our church, Calvary, when he
13 was running for a position.

14 Q. Okay. Did you have a personal
15 relationship with Mr. McCollum?

16 A. No.

17 Q. You just met him through --

18 A. Just through --

19 Q. A speaker?

20 A. -- the church, yes.

21 Q. Anyone else on the Interdenominational
22 Ministers Conference that you had a personal

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

59

1 relationship with before 2018?

2 A. No.

3 Q. Did you have a relationship with anyone
4 involved with the Virginia Beach NAACP before
5 2018?

6 A. Not their current leadership.

7 Q. Prior leadership?

8 A. Prior to -- but this was way back when I
9 was in college.

10 Q. Not since college?

11 A. Not recently.

12 Q. Okay.

13 MR. BOYNTON: Are we at a good moment for
14 a break? It's been about an hour and 15 minutes.
15 Maybe stretch your legs.

16 THE DEPONENT: Sure. Sure.

17 MS. LANG: Okay. We'll go off the record.

18 (A recess was taken.)

19 MS. LANG: We'll go back on the record.

20 Q. Ms. Wooten, what would you say are your
21 current priorities for your work on the City
22 Council?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

60

1 A. Education, flooding, neighborhoods, great
2 neighborhoods, public safety, empowering local
3 businesses. What else? I think that's pretty --
4 to name a few.

5 Q. Yes.

6 With respect to education, what specific
7 policy proposals are you focused on?

8 A. Just making sure Council is supportive to
9 our School Board's needs, specifically in the
10 areas of just resources, infrastructure for
11 schools, safety measures for schools, that sort of
12 thing.

13 Q. Okay. And what, specifically, are you
14 concerned about or proposing with respect to
15 flooding?

16 A. Really bringing awareness to the problems
17 we have, and finding a comprehensive strategy to
18 address them.

19 Q. And what are the problems that Virginia
20 Beach is facing with respect to flooding?

21 A. I mean, anywhere from sea level rise to
22 wind tide, flooding in Bay Back, dredging, all

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

61

1 those areas.

2 Q. Are there specific neighborhoods that are
3 struggling more with flooding than others?

4 A. You know, from workshop, that I know for
5 detail, Windsor Woods, Ashville Park. There are
6 also several areas in the Princess Anne district,
7 but I can't say specifically all of those areas.

8 Q. Okay. And you said neighborhoods. What
9 kinds of issues are you thinking of with respect
10 to the neighborhoods?

11 A. It goes along with -- I would say
12 flooding, as well. Just infrastructure, making
13 sure our infrastructure is maintained, making sure
14 our neighborhoods are, you know, safe, that sort
15 of thing.

16 Q. So what are you working on to improve
17 public safety?

18 A. So, you know, I am a chaplain for the
19 Virginia Beach Police Department, so, you know, I
20 volunteer when I have an opportunity. So anything
21 from, you know, ensuring that, you know, officers
22 are taken care of with respect to pay parity, also

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

62

1 just ensuring that as far as, let's say -- just
2 bringing awareness to some of the issues we may
3 have in the community with respect to crime
4 prevention and that sort of thing.

5 Q. What are some of the issues you think the
6 city might have?

7 A. Well, you know, we are the safest city of
8 our size, so they're not -- not a lot of huge
9 issues. But if you're -- you know, there are
10 minor things that happen from anywhere from things
11 that happen down at the oceanfront or, you know,
12 you see just certain concerns that neighbors might
13 have with -- I don't know -- maybe theft in the
14 neighborhood or something like that.

15 Q. Uh-huh.

16 A. So there are minor issues.

17 Q. You said pay parity for police officers.
18 Parity as compared to what?

19 A. Just making sure that all levels in the
20 workforce are comparable to their counterparts, as
21 far as the Sheriff's Department.

22 Q. Is that -- does that include any issues

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

63

1 about concerns of disparate pay across racial
2 lines?

3 A. No. Not that I'm aware of.

4 Q. What would you say are the biggest
5 challenges facing Virginia Beach today?

6 A. Today it's, actually, getting a new City
7 Manager, searching for a new City Manager at this
8 point.

9 Q. Uh-huh.

10 A. And just still dealing with the concerns
11 from May 31st.

12 Q. Right.

13 Putting aside that tragedy, moving the
14 camera lens out just a little bit more, what
15 other, kind of, bigger systemic challenges does
16 Virginia Beach face, whether it be flooding or
17 racial disparities or what have you? What are the
18 biggest, kind of, challenges that the city faces?

19 A. You know, I think one of our major goals
20 is to make sure that we are seen as an all-around
21 destination. I mean, that encompasses economic
22 development, schools, great neighborhoods, that

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

64

1 sort of thing.

2 Q. Uh-huh. Okay.

3 When you say destination, do you --

4 A. Tourism.

5 Q. -- mean tourism?

6 Okay. And you said supporting local
7 businesses?

8 A. Uh-huh.

9 Q. What, specifically, are you referring to
10 there?

11 A. Just making sure that our local businesses
12 have access to tools, education, that they can use
13 to continue to grow and expand their business.

14 Q. What kinds of tools and resources?

15 A. So, specifically, I host a business
16 seminar on a quarterly basis. That seminar gives
17 you information on access to local government
18 contracts. Sometimes we do sessions on federal
19 contracts. Sometimes we do educational
20 information for entrepreneurs who need assistance,
21 whether it's financially -- find out whatever the
22 resources that they need. My job is to connect

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

65

1 them to those resources.

2 Q. If there is an issue that you would like
3 to propose an ordinance on, what's the process for
4 doing that?

5 A. So the process would be to make City
6 Council aware of it, let them know what my
7 thoughts are, then work with our city staff to
8 bring the statute or the ordinance together.

9 Q. Uh-huh.

10 A. And, then, go back, allow City Council to
11 review it. And, then, it works its way on the
12 agenda for City Council to vote on.

13 Q. Okay. So there is staff that helps with
14 the drafting of an ordinance; is that right?

15 A. Yes.

16 Q. Is that the City Attorney's Office?

17 A. Yes.

18 Q. You said makes its way through the process
19 to get on the agenda. I'm particularly interested
20 in figuring out what that process is.

21 A. You know, that area, making sure it gets
22 on the agenda, I don't know the specific steps to

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

66

1 what and how it gets there, but I know that there
2 is just some determining what's on our schedule,
3 you know, and when is the proper time to put it up
4 on the agenda. Sometimes it's -- sometimes it can
5 be something that I can request and say, hey, can
6 we get it on the agenda right away? And, then,
7 the necessary steps are taken to get it on the
8 agenda. So it just depends.

9 Q. Who makes that decision?

10 A. You know, specifically, I don't know.

11 Q. Is it the Mayor that gets to decide what's
12 on the agenda?

13 A. I mean, he has a say-so in it, but I think
14 ultimately it's that Council member working with,
15 you know, city staff to make sure it gets up
16 there. So they really take their direction from
17 us.

18 Q. Okay. So if you had something that you
19 really wanted to get a vote, who would you ask to
20 do that?

21 A. I would go to the City -- send an email to
22 the City Attorney, and one of his staff members

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

67

1 would work with me to do it.

2 Q. Okay. If you want something to get a vote
3 but others on the City Council don't want it to go
4 on the agenda, who makes those determinations?

5 A. You know, I haven't had that circumstance.

6 Q. So you don't know who has the final say-so
7 about what goes on the agenda?

8 A. In that circumstance?

9 Q. Yes.

10 A. In that circumstance, I could not speak to
11 it.

12 Q. Okay. Have you proposed any resolutions
13 since you've been a City Council member?

14 A. Yes.

15 Q. How many resolutions?

16 A. Let's see. Probably, I think, about three
17 to four come to mind. That's -- I'd say about
18 five come to mind.

19 Q. Okay. Can you describe those for me?

20 A. One was for flooding, to join the
21 coalition for flooding. There was one for
22 increasing the aspirational goal as relates to the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

68

1 disparity study.

2 Q. Uh-huh.

3 A. There is one that was proposed related to
4 the shootings, to memorialize or make sure there
5 is a memorial set up. And there was one for
6 safety measures after the shooting.

7 Q. Okay. Did all of those get votes?

8 A. Yes.

9 Q. Okay. And did all of those pass?

10 A. Let's see.

11 Q. Flooding, increasing the disparity
12 aspirational goal, shooting memorial, and safety
13 measures?

14 A. I believe all of those passed.

15 Q. Okay. Have you proposed any ordinances
16 since becoming a City Council member?

17 A. I have one that's in the works.

18 Q. Okay. And what's that?

19 A. It's related to wildlife rehabilitation.

20 Q. Okay. So tell me about where it is in the
21 process.

22 A. Working on the ordinance. You know, we're

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

69

1 at the point to where we just -- I'm supposed to
2 review the ordinance and see if it's something
3 that, you know, just makes sense.

4 Q. Okay. So after you review it, if you
5 determine that it is something you want to move
6 forward with, what would be the next step in the
7 process?

8 A. The next step for me, to send the
9 information back to the City Attorney's Office
10 that's working with it, the attorney that's
11 working on it. And, then, they let me know what
12 the next steps are to moving the ordinance
13 forward. I think it would have to go through
14 Planning first. And once it goes through
15 Planning, then, you know, it comes to City
16 Council.

17 Q. And that's the Planning Department for the
18 city?

19 A. The Planning Commission.

20 Q. Planning Commission.

21 Do you know what the timeline might be for
22 you to get a vote on that ordinance?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

70

1 A. You know, I don't know for sure. I don't
2 know for sure.

3 Q. Are you working with any other City
4 Council member on this wildlife rehabilitation
5 ordinance?

6 MR. BOYNTON: You can answer the question
7 as to who you're working with. I would remind you
8 that the context of those conversations, if
9 private and not public, would potentially be
10 subject to the legislative privilege that you've
11 invoked.

12 THE DEPONENT: Okay. Jessica Abbott.

13 Q. You referenced a few times the disparity
14 study results that came out recently. Are you
15 familiar with that study?

16 A. Yes.

17 Q. Okay. And are you familiar with the
18 minority community's advocacy for this study over
19 a course of years?

20 A. I don't know, you know, all of the history
21 when it started. I don't know all the
22 intricacies, but I'm familiar that they've been

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

71

1 asking for it.

2 Q. Are you familiar with -- that there were
3 marches to support a disparity study?

4 A. I do recall that there was a march.

5 Q. Did you go to the march?

6 A. No.

7 Q. Okay. Were you involved in any of the
8 advocacy for a disparity study?

9 A. You know, not directly.

10 Q. Is addressing the disparities identified
11 in that study a priority for you?

12 A. Yes.

13 Q. What steps have you taken to push that
14 forward?

15 A. So I've proposed the resolution for the
16 disparity study to increase the aspirational
17 goals. That was one. The other is -- I had -- it
18 was a Community Forum breaking down, going over
19 the findings, and, then, having city staff talk
20 about what's being done to address the disparity.

21 Q. Okay.

22 MS. LANG: I'll mark Exhibit 3.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

72

1 (Exhibit 3 was marked and
2 attached to the transcript.)

3 Q. Is this the resolution you were referring
4 to just a moment ago?

5 A. Yes.

6 Q. Did anyone put this forward with you or
7 were you the only City Council member that put it
8 forward to begin with?

9 A. There were some other Council members who
10 wanted to be listed on the resolution.

11 Q. Were they?

12 A. Yes.

13 Q. Okay. Who were they?

14 A. To the best of my recollection, Council
15 Member Rouse, Council Member Shannon Kane. I
16 can't remember who else was listed.

17 Q. Okay. And this raised the aspirational
18 goal for minority-owned business participation
19 from 10 percent to 12 percent; is that right?

20 A. Yes.

21 Q. Okay. Between 2008 and 2018 there was an
22 aspirational goal of 10 percent; is that correct?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

73

1 A. Yes.

2 Q. And, to your knowledge, between May 2008
3 and when this resolution passed, did the city ever
4 meet that 10 percent aspirational goal?

5 A. To the best of my recollection, I don't
6 believe so.

7 Q. Okay. And do you know what consequences,
8 if any, there would be if the city did not reach
9 the 12 percent goal that's now been set by this
10 resolution?

11 A. I can't say specifically.

12 Q. Okay. You said that you set up a forum to
13 discuss the disparity study; is that correct?

14 A. Yes.

15 Q. Okay. And have you received any
16 resistance from any city officials with respect to
17 your engagement of minority businesses?

18 A. Can you explain -- clarify that a little
19 bit more?

20 Q. Sure.

21 Have you -- have you had any interactions
22 with city officials in which they've pushed back

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

74

1 on any of your efforts to engage with the minority
2 community businesses?

3 A. I'd have to say -- I'm not sure I would
4 call it that. I'd have to say -- I don't know if
5 it's -- I can't say. I can't say unequivocally
6 yes.

7 Q. In your own words, what is it --

8 A. I can't say.

9 You know, it would be more -- I would say
10 maybe more, I guess, logistics part of it, you
11 know, and making sure those resources are there.

12 Q. Are you referring specifically to some
13 interactions with City Manager -- former City
14 Manager Hansen?

15 A. Yes.

16 Q. Okay. And in February, did you have a
17 back and forth with him about his pushback on the
18 allocation of resources for your activities?

19 A. Yes.

20 MS. LANG: I'll mark Exhibit 4.

21 (Exhibit 4 was marked and
22 attached to the transcript.)

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

75

1 MR. BOYNTON: Do you have a page or pages
2 you'd like to refer her to?

3 MS. LANG: Yes, I do. 8275; DEF8275.
4 It's a ways back, towards the end.

5 MR. BOYNTON: Please review the whole
6 exchange.

7 THE DEPONENT: Okay.

8 MR. BOYNTON: Further back, the exchange.
9 Normally -- do you have a page where the
10 exchange starts?

11 MS. LANG: It's a lengthy exchange. I'm
12 only going to talk about Mr. Hansen's email on
13 8276 and Ms. Wooten's response on 8275.

14 MR. BOYNTON: So let's start at least
15 maybe one page before so you know how it got --
16 what the request was he was responding to.

17 THE DEPONENT: Okay. Sure.

18 MR. BOYNTON: I don't know what all this
19 is, though.

20 THE DEPONENT: Must be an invitation that
21 they created -- yeah. That's where --

22 MR. BOYNTON: Again, don't speak out loud

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

76

1 because she has to take it down.

2 THE DEPONENT: Sorry.

3 MR. BOYNTON: So just process and --

4 THE DEPONENT: Okay.

5 MR. BOYNTON: -- tell me when to turn the
6 page.

7 THE DEPONENT: Okay.

8 MR. BOYNTON: To your response, which is
9 the page she's having you focus on.

10 A. Okay.

11 Q. Is this the back and forth that you were
12 referring to with respect to some logistical
13 difficulties?

14 A. Yes.

15 Q. And as I understand this email exchange,
16 former City Manager Hansen pushed back on the idea
17 that your Small Business Forum would be part of a
18 series because he believed it would be appropriate
19 when committing extensive use of city resources
20 for individually sponsored events for there to be
21 more buy-in for that series? Is that your
22 understanding?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

77

1 A. Yes.

2 Q. And you wrote back with some frustration
3 about his pushback? Is that more or less correct?

4 A. What I would say, it was kind of confused.

5 Q. Okay.

6 A. It needed understanding.

7 Q. Sure.

8 How did this exchange resolve?

9 A. It resolved in an approval of the events
10 going forward.

11 Q. Okay. And was -- after this email -- at
12 the top of this email exchange on 8275 former City
13 Manager Hansen asks if you can take his call. Did
14 you two have a phone call conversation?

15 A. We did.

16 Q. Okay. And is that phone call conversation
17 what resolved the issue?

18 A. Yes. I believe so.

19 Q. Okay. Did you have to involve anyone else
20 in that discussion?

21 A. No.

22 Q. Okay. After your phone call conversation,

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

78

1 did you better understand his pushback on your
2 series of events?

3 A. Yes.

4 Q. Okay. And what was the reason for his
5 pushback on your series of events?

6 A. I believe, as he mentioned, figuring out
7 resources.

8 Q. Okay. But ultimately you were able to
9 move forward with your series of events?

10 A. Yes.

11 Q. And what was the contents of the event
12 that was being discussed here on 8275?

13 A. This is the first Ignite. And, basically,
14 it was more -- I think the email started out,
15 before Dave with logistics, and the invitation,
16 making sure it was correct. So it was the first
17 one.

18 Q. And how many have there been of that
19 series?

20 A. So the third one will take place on
21 Saturday, Saturday -- this Saturday.

22 Q. Oh. Great.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

79

1 When was the second one?

2 A. June 22nd.

3 Q. And what are those events?

4 A. Basically, again, focusing on small
5 business, education, about resources. The goal
6 is, especially for the first one, was to do
7 business with the city and in the city. And,
8 then, the second one focused on financial capital
9 for those businesses. And the third one focuses
10 on entrepreneurship and the programs the city
11 offers.

12 Q. At the first two events, what kind of
13 attendance did you have?

14 A. Attendance was very good. It's been --
15 the first one was -- I mean, you had over 70
16 businesses represented. The second one was more
17 between, I would say, 35 businesses represented.

18 Q. Okay. In your email you reference your
19 confusion especially in light of the disparity
20 study. Do these events focus on increasing access
21 for minority businesses?

22 A. Yes. It's specifically geared to SWaM

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

80

1 businesses.

2 Q. Okay. And do you bring in speakers for
3 these events or do you speak at them?

4 A. Speakers.

5 Q. The majority of businesses that attend,
6 are they SWaM businesses?

7 A. Yes.

8 Q. Okay. Did you and former City Manager
9 Hansen also have a disagreement about the name of
10 your forum with respect to the disparity study?

11 A. Yes.

12 Q. Okay. Can you tell me about that?

13 A. From the best of my recollection, I wanted
14 to name the forum Fighting the Disparity. And I
15 think -- and I can't say for sure what his issue
16 was, but I don't think he liked Fighting the
17 Disparity.

18 Q. Okay. Ultimately you did name it Fighting
19 the Disparity?

20 A. Yes.

21 Q. How did that disagreement resolve itself?

22 A. Just conversation, explaining to him what

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

81

1 it meant, that it was not negative in terms of the
2 city but that it was, obviously, fighting the fact
3 that there is a disparity, that we are doing
4 something about it.

5 MR. BOYNTON: Are we done with this
6 exhibit?

7 MS. LANG: For now, yes.

8 Q. I saw a lengthy email exchange about the
9 location for the Disparity Study Forum in the
10 documents provided. Where did you ultimately hold
11 the Disparity Forum?

12 A. At the Sandler Center.

13 Q. Is that where you wanted to hold it?

14 A. Yes.

15 Q. Was there initially any pushback on
16 holding it at the Sandler Center?

17 A. There was some discussion that it was
18 probably not -- that maybe another facility would
19 be better.

20 Q. And why did folks think that another
21 facility might be better?

22 A. You know, I was never really privy to why.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

82

1 Q. And who was it that thought that a
2 different facility might be proper? Was it former
3 City Manager Hansen?

4 A. You know, that was what was communicated
5 to me through him.

6 Q. Okay. And was it a matter of cost?

7 A. You know, it was probably -- and I -- and
8 I can't say for sure, but it was probably
9 something related to cost, resources.

10 Q. And why did it ultimately get decided that
11 it would be at the Sandler Center?

12 A. I believe just because of the type of
13 forum it was, I think. From what I can remember,
14 there was another -- on campus at TCC or something
15 like that. But I think the Sandler Center was
16 more central and it had a bigger venue.

17 Q. So did you advocate for it to be held at
18 the Sandler Center?

19 A. Yes.

20 Q. Okay. One of the groups that you reached
21 out to attend, to invite to the forum, was the
22 Interdenominational Ministers Conference; is that

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

83

1 right?

2 A. Yes.

3 Q. Did any of them attend the forum?

4 A. Yes.

5 Q. Who was able to attend, if you recall?

6 A. I believe, from my recollection, I
7 remember Dr. James Allen and Mr. Andrew Jackson.

8 Q. Did you seek to have the Color Guard
9 participate in the Disparity Study Forum?

10 A. Yes.

11 Q. Okay. And why did you ask for the Color
12 Guard to participate?

13 A. I thought it should be, you know, a pretty
14 formal opening ceremony. It's a very important
15 topic.

16 MS. LANG: I'm going to mark Exhibit 5.

17 (Exhibit 5 was marked and
18 attached to the transcript.)

19 Q. And this is a set of email correspondence
20 related to the Color Guard. And particularly I'm
21 just looking at this first page, which is with
22 respect to concerns having the Color Guard

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

84

1 participate that were voiced by the Chief of Staff
2 at the Virginia Beach City Public Schools or the
3 Office of the Chief of Staff at the Virginia Beach
4 City Public Schools.

5 A. Uh-huh.

6 Q. I'll give you a moment to review.

7 A. Okay.

8 Q. This email from John Sutton from the
9 Office of the Chief of Staff said that the Color
10 Guard would not be able to participate because it
11 might appear to be political in nature; is that
12 right?

13 A. Yes.

14 Q. Was this event a political event?

15 A. In my opinion, I say no because I wasn't
16 running for office.

17 Q. It wasn't a campaign event?

18 A. No.

19 Q. It was an event in your official capacity
20 as a City Council member --

21 A. Yes.

22 Q. -- to discuss an official city disparity

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

85

1 study; is that correct?

2 A. Yes.

3 Q. And Chris Chandler from the Office of the
4 Mayor wrote to you on May 10, 2019 to say that he
5 would reach out to the Virginia Beach Sheriff's
6 Office to see if they could assist; is that
7 correct?

8 A. Yes.

9 Q. How did this issue resolve?

10 A. I believe -- I'm trying to remember. I
11 don't remember if it was the Sheriff's Office or
12 the Police that came, but it was one of those
13 entities. I can't remember which one it was.

14 Q. But the Color Guard did not participate?

15 A. It was the Color Guard from either the
16 Sheriff's Office or the Police Department. It was
17 one of those.

18 Q. But the Color Guard from the Schools did
19 not participate?

20 A. Correct.

21 Q. Did you speak at all to the -- to
22 Mr. Sutton about his concerns that this would be a

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

86

1 political event?

2 A. No.

3 Q. Did anybody follow up with the Schools
4 about this -- his view on the event?

5 A. Not to my knowledge.

6 Q. Was this the first correspondence you
7 received, either by email or phone or otherwise,
8 about concerns that the event might be political
9 in nature?

10 A. Yes.

11 Q. And was this the only such communication
12 you received?

13 A. I believe so.

14 Q. Okay. Look back at Exhibit 4, number
15 8187. And this is an email from you to Julie Hill
16 dated May 6, 2019; is that correct?

17 A. Yes.

18 Q. And who's Julie Hill or -- yeah. Who's
19 Julie Hill?

20 A. She's Director of Communications.

21 Q. Okay. Great.

22 And you provide a list of groups that you

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

87

1 were inviting to the forum on the disparity study.

2 What is the ABAR, Asian Chamber?

3 A. So I think it's ABAR, Asian Business --
4 I'm not sure what AR stands for, but it is the
5 Asian Business Chamber.

6 Q. Okay. Who is your contact at the ABAR
7 Asian Chamber? Do you know?

8 A. Petula Moy.

9 Q. And what about at the Filipino Chamber?

10 A. I believe that's Naomi -- gosh. I can't
11 think of Naomi's last name right now. Estaris or
12 something like that.

13 Q. And what is the HRBOR/LGBTQ Chamber?

14 A. Hampton Roads -- I'm not sure of BOR right
15 now. But that is -- and, of course, the LGBTQ
16 Business Chamber.

17 Q. Okay. What churches did you invite to the
18 Business Forum -- Disparity Forum?

19 A. There are churches in that
20 International -- Virginia Beach
21 Interdenominational Ministers alliance group, so I
22 sent out an email to them.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

88

1 Q. Okay.

2 A. So it's various churches in the listing.

3 Q. Correct.

4 Any other community leaders that you
5 invited?

6 A. I invited, I believe her name is, Sylvia
7 Strickland. She's a Commissioner for Human
8 Rights. She came out. I invited her.

9 Q. On what commission?

10 A. Human Rights.

11 Q. Is that a city commission?

12 A. Yes.

13 Q. Okay. Who is Chris Stone?

14 A. Chris Stone. I believe he's the CEO of
15 Clark Nexsen.

16 Q. And what's that?

17 A. It's a firm, architectural firm, in
18 Virginia Beach.

19 Q. And how do you know Chris Stone?

20 A. He reached out to me regarding the
21 Disparity Forum. We talked about, specifically, a
22 definition of a business.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

89

1 Q. So he reached out to you?

2 A. Uh-huh.

3 Q. I'm just going to ask you who some other
4 folks are I saw in the documents.

5 A. Okay.

6 Q. Who's Lavera Tolentino?

7 A. She is -- city staff. She works in the
8 Purchasing Department, I believe.

9 Q. Donna Whitaker?

10 A. Donna Whitaker, she is with Venture -- is
11 that -- Realty? I believe it's Venture Realty.
12 She was involved with Something in the Water.

13 Q. Is that how you know her?

14 A. Yes.

15 Q. What about Rebecca Key?

16 A. She's a part of the Purchasing Department.

17 Q. Okay. Taylor Adams?

18 A. He's the Economic Development Director.

19 Q. Were there any other speakers at the forum
20 that I haven't mentioned?

21 A. There is a gentleman by the name of Bruce
22 Williams. He was a speaker on the panel

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

90

1 discussion.

2 Q. And who's he?

3 A. He's a community leader. He has done work
4 with contracts with our city.

5 Q. Is he a developer?

6 A. No.

7 Q. Okay. What kind of contracts has he
8 worked on?

9 A. You know, I can't say specific to what
10 contracts he was involved in, but I know that he
11 has experience in working with, you know, the
12 Purchasing Department on contracts.

13 Q. And how did you -- how do you know Bruce
14 Williams?

15 A. Met him through -- it was either the
16 Interdenominational Ministers Forum or through the
17 African American Commission.

18 Q. That's a city commission?

19 A. Yes, it was.

20 Q. It's no longer --

21 A. I don't think it's active.

22 Q. Okay. So what was the format of the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

91

1 Disparity Forum event?

2 A. We focused on the results. So the company
3 who performed the study, they were available by,
4 I'm going to say, satellite, by telephone, and
5 they were able to discuss the results of their
6 presentation. So they went over their
7 presentation. And after that information was
8 discussed, then we had a panel discussion about
9 the results and the next steps, and we took
10 questions from the audience.

11 Q. And who was on the panel?

12 A. The individuals that were listed: Bruce
13 Williams, Donna Whitaker, Rebecca Key, Lavera
14 Tolentino, Taylor Adams, myself.

15 Q. Chris Stone?

16 A. And Mr. Stone.

17 Q. Okay. Great.

18 And about how many people attended?

19 A. It was over 250 people.

20 Q. Did you get a lot of questions from the
21 audience?

22 A. We took quite a few questions.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

92

1 Q. What were some of the next steps that the
2 panel discussed?

3 A. I don't remember the specifics, but I
4 asked for some of the information from the study
5 that were -- that was given that we should focus
6 on. And it focused more on contracting, what we
7 can do to increase contracting.

8 Q. And on the resolution to increase the
9 aspirational goal, did anyone vote against that
10 resolution?

11 A. You know, I don't recall. I don't think
12 so.

13 Q. Okay.

14 MS. LANG: I'll mark Exhibit 6.

15 (Exhibit 6 was marked and
16 attached to the transcript.)

17 Q. I'm just asking you now to look at the
18 last two pages, which is an email you sent to
19 members of the International --
20 Interdenominational Ministers Conference.

21 MR. BOYNTON: So for the record, that's
22 DEF08089 and DEF08090.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

93

1 A. Yes.

2 Q. Okay. The third request in your email
3 says you're planning to request an audit of the
4 School Board budget; is that right?

5 A. Yes.

6 Q. And why did you want to request an audit
7 of the School Board budget?

8 A. That request stems from constituents
9 wanting to know how the disparity study affected
10 the school budget.

11 Q. And have you, in fact, proposed an audit
12 to the City Council?

13 A. Not yet.

14 Q. Okay. Do you plan to do that?

15 A. I believe that's something I will pursue.

16 Q. Okay. And how might the disparity study
17 affect the School Board budget?

18 MR. BOYNTON: I'm going to object. Calls
19 for speculation.

20 You can answer.

21 A. You know, I -- the constituent complaint
22 was that it was not factored into the study and it

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

94

1 should have been.

2 Q. Okay. So the allocation of resources in
3 the School Board budget should have been included
4 in the study? Is that the complaint you received?

5 A. I believe that's what it was.

6 Q. And who was that --

7 A. It was a concern.

8 Q. Who raised that concern?

9 A. There were several constituents. I don't
10 have their names.

11 Q. And did they raise that by email or by
12 phone?

13 A. Actually, when I was out in the community
14 meeting.

15 Q. Okay. And that's more than one
16 constituent that's asked you about that issue?

17 A. Yes.

18 Q. Okay. Are there other areas in which you
19 think the city should study potential disparities
20 in the treatment of the minority community?

21 A. You know, I can't say specifically. I
22 just know that we -- we can always do better

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

95

1 across the board.

2 Q. For example, are you aware of any data
3 about city employment and minority inclusion for
4 city employment?

5 A. I don't have access to that information.

6 Q. Do you have any concerns about the level
7 of minority employment with the city?

8 A. You know, the level -- you said the level
9 of minority --

10 Q. (Moved head up and down.)

11 A. I'm not sure that's what the concern is
12 for me.

13 Q. What would the concern be for you?

14 A. Just, you know, as it relates to --
15 because I'm not privy to any data, so I really
16 don't know, you know, what the, you know,
17 statistics say, you know, about minorities in
18 Virginia Beach. But it's always my goal to make
19 sure that, you know, we're fair and equitable and
20 that we're doing all we can, you know, to
21 encourage participation from all groups.

22 Q. Are you aware that in the past there's

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

96

1 been a lawsuit by the Department of Justice
2 related to employment practices at the Police
3 Department?

4 A. No.

5 Q. Okay. Are you aware of the current level
6 of minority employment at the -- with the Police
7 Department?

8 A. No. I don't have the details.

9 Q. Okay. Other than the passage of the
10 resolution we discussed earlier, do you know of
11 any concrete steps the City Council has taken,
12 since the disparity study was published, to follow
13 the recommendations of the disparity study?

14 A. I do know that we, in our budget, we had
15 at least \$30,000 that was allocated to the
16 monitoring of contracts and data. We're also
17 focusing on debundling contracts.

18 Q. What does that mean?

19 A. The larger contracts we have, making sure
20 that we break them up to make sure that other, you
21 know, SWaM business owners are able to participate
22 in the process.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

97

1 Q. And what has the city done to promote
2 debundling of contracts?

3 A. Specifically, I'm not sure what, you know,
4 the Purchasing Department has done. I can't speak
5 to what their, you know, goals and their
6 operations are.

7 Q. So that would be something that falls
8 under the purview of the Purchasing Department?

9 A. Yes.

10 MS. LANG: Okay. I'll mark Exhibit 7.

11 (Exhibit 7 was marked and
12 attached to the transcript.)

13 MR. BOYNTON: Any particular page?

14 MS. LANG: The first and second page.

15 MR. BOYNTON: Do you want her to read past
16 the first page?

17 MS. LANG: We're going to go step-by-step,
18 so I'm not sure she needs to read it all right
19 now.

20 A. Do you want me to pay particular attention
21 to my information under my name?

22 Q. Yes. And, for the record, we're looking

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

98

1 at DEF08510 to DEF08511.

2 A. Okay.

3 Q. And this email relates to the budgeting
4 process for the fiscal year of 2020; is that
5 right?

6 A. Yes.

7 Q. Okay. And at the bottom of the page it
8 indicates that you had requested adding \$84,000 to
9 the Summer Youth Employment Program; is that
10 right?

11 A. Yes.

12 Q. Okay. Was that \$84,000 ultimately added
13 to the budget?

14 A. No.

15 Q. And do you know why not?

16 A. From my understanding, it was going to be
17 more focused on the private sector.

18 Q. Did you agree with that choice?

19 A. No.

20 Q. Who ultimately was able to make the
21 decision that your request of \$84,000 would not be
22 included in the budget?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

99

1 A. You know, the Council itself approves the
2 budget, you know. So once this information was
3 sent out, I did not, you know, get, I guess, a
4 consensus from the Council that they wanted to
5 pursue adding that --

6 Q. Okay.

7 A. -- amount.

8 Q. And, then, the next page, the next request
9 you made is fully fund CIP 3-047. What does that
10 mean? What's CIP 3-047?

11 A. You know, without having that information
12 in front of me, I can't say specifically what it
13 was, but I'm sure it pertained to something
14 related to infrastructure.

15 Q. It looked like it had something to do with
16 landfills; is that right?

17 A. So -- let's see.

18 Q. Most, if not all, of the odors referred
19 to --

20 A. That particular one, yes.

21 Q. Do you know if this request was ultimately
22 included in the budget?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

100

1 A. I can't recall.

2 Q. Okay.

3 A. I can't recall what agreement was reached
4 with that.

5 Q. The next one said to increase the funding
6 for a staff member for the implementation of the
7 disparity study. Was that included in the final
8 budget?

9 A. No.

10 Q. Okay. Did you agree with that decision
11 not to include it in the budget?

12 A. No.

13 Q. Do you know why it wasn't ultimately
14 included in the budget?

15 A. From what I understand, I was told that
16 there was enough staff available to support the
17 recommendations from the disparity study.

18 Q. Did --

19 A. And there was not another person needed.

20 Q. Did the disparity study suggest the hiring
21 of new staff?

22 A. Yes. It suggested that we hire one

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

101

1 full-time staff member to focus on SWaM
2 businesses.

3 Q. But the city decided not to do that; is
4 that right?

5 A. Correct.

6 Q. Okay. Do you know who else on the City
7 Council supported your request to add an
8 additional person to focus on SWaM businesses?

9 A. No. I can't recall anybody else.

10 Q. Okay. Do you recall that Council Member
11 Rouse asked for parking at Seatack Park?

12 A. Yes.

13 Q. And was that provided?

14 A. You know, I'm not sure.

15 Q. Okay.

16 A. I'm not sure.

17 Q. And do you recall that he also asked for
18 signing for the Seatack community?

19 A. Yes.

20 Q. And do you know if that was provided?

21 A. I don't know.

22 Q. Okay. And up to the Something in the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

102

1 Water Festival, you received a complaint about
2 price gouging at the hotels; is that correct?

3 A. Yes.

4 Q. Can you tell me about that complaint?

5 A. We received some complaints from some of
6 the constituents in the community that they were
7 noticing the increase -- the exorbitant increase
8 in pricing for this event.

9 Q. And did that come from the NAACP?

10 A. It did not originate from the NAACP, I
11 don't believe.

12 Q. Do you remember where it originated from?

13 A. No. I can't remember.

14 Q. Were any of the complaints from the NAACP?

15 A. I don't remember complaints being from the
16 NAACP. But I do remember the NAACP reaching out
17 to me to attend a meeting that I had on it.

18 Q. Okay. And who did you ask for assistance
19 in addressing the issue of price gouging?

20 A. I reached out to the Hotel Association. I
21 can't think of Donna's last name right now, but I
22 reached out to them.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

103

1 Q. Okay. And did you have a meeting with the
2 Hotel Association?

3 A. A member, yes.

4 Q. Okay. And what was the result of the
5 meeting?

6 A. We left the meeting requesting some type
7 of statement with regard to ensuring that, you
8 know, costs would be fair for this event. So that
9 was the outcome.

10 Q. Okay. Did they release a statement?

11 A. No.

12 Q. Okay. So ultimately were you able to
13 provide any resolution to this issue for the
14 community?

15 A. No.

16 Q. Okay. And you mentioned Donna earlier.
17 Is that Donna MacMillan Whitaker?

18 A. Yeah. Well, no. That's a different -- I
19 can't think of the last name. No. Her name is
20 not Donna. It's Diane.

21 Q. Did you reach out to anybody that worked
22 for the city about this issue, as well?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

104

1 A. I believe I initially reached out to the
2 city to ask how I could address it.

3 Q. Okay. Did you reach out to Nancy Bloom?

4 A. I believe so.

5 Q. And who's Nancy Bloom?

6 A. I can't think of Nancy's specific title,
7 but she works in the City Manager's Office and she
8 helps with constituent concerns.

9 Q. And did you ultimately speak with the
10 Commissioner of the Revenue office?

11 A. I can't remember.

12 Q. Okay.

13 MS. LANG: I'm going to mark Exhibit 8.

14 (Exhibit 8 was marked and
15 attached to the transcript.)

16 Q. This is a series of emails, many of which
17 relate to that topic. So I'd like to start at --
18 going backwards -- DEF07840. This is your initial
19 email reaching out to Ms. Bloom and her response
20 reaching out to the Commissioner of Revenue; is
21 that right?

22 A. I'm not seeing the Commissioner of

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

105

1 Revenue.

2 Q. COR. She says, Is this something that the
3 COR is involved with?

4 MR. BOYNTON: That's what she's asking.

5 A. Okay. I see that, yes.

6 Q. And she indicates that she thinks hotels
7 and motels must post their rates on the property.

8 Do you know if that's correct?

9 A. I don't.

10 Q. Okay. And looking at the earlier page,
11 7839, 39 --

12 MR. BOYNTON: I'm sorry. It's not
13 earlier. It's actually later in time sequence.

14 Q. Exactly. Later in time sequence. Earlier
15 in the packet.

16 Somebody from the Commissioner of Revenue
17 basically says -- well, says, We wouldn't have
18 anything to do with this; is that right?

19 A. Yes.

20 Q. And suggests maybe checking with the
21 Department of Health?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

106

1 Q. And Nancy writes that the Department of
2 Health does not regulate this portion of the
3 Virginia Code, and she asks Brad Van Dommelen if
4 there is something he could do to help.

5 Who is Brad Van Dommelen? Do you know?

6 A. You know, he's a past Director of -- I
7 want to say Tourism. I can't remember his
8 specific title. He's a leader in the Tourism
9 Department for our city.

10 Q. And, then, if you look at 7837, Nancy
11 Bloom indicates, at the top of the page, that Brad
12 V. told her he does not involve himself with
13 private sector business and pricing; is that
14 right?

15 A. Yes.

16 Q. And so ultimately was there anyone at the
17 city that would be able to help you and your
18 constituents with this problem?

19 A. No.

20 Q. Okay. Sticking with this exhibit, the
21 first page, 7836, talks about a program called
22 Trap The Vote and a gentleman named Marvin Bing.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

107

1 Do you see that?

2 A. Yes.

3 Q. Do you know who Marvin Bing is?

4 A. No.

5 Q. Did you ever meet Marvin Bing?

6 A. No.

7 Q. And Donna indicated that Marvin was making
8 a very large donation to the festival; is that
9 right? That's in the second paragraph.

10 A. Yes.

11 Q. Do you know what the relevance was of the
12 fact that he was giving a large donation to the
13 festival?

14 A. No.

15 Q. Okay. Do you know if this Trap The Vote
16 program actually occurred at the Something in the
17 Water Festival?

18 A. I'm not specifically sure, but I don't
19 believe that actually panned out.

20 Q. Okay. Do you know if there was voter
21 engagement activities that ended up happening at
22 the Something in the Water Festival?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

108

1 A. I don't know.

2 Q. Was that something that members of the
3 African community had reached out about
4 potentially doing?

5 A. I do remember someone mentioning that
6 that's something we should do.

7 Q. Do you know who Dr. Pruden is?

8 A. Yes.

9 Q. Who is she?

10 A. She's the president of the Virginia Beach
11 Chapter of the NAACP.

12 MS. LANG: I'll mark Exhibit 9.

13 (Exhibit 9 was marked and
14 attached to the transcript.)

15 MR. BOYNTON: How far do you want her to
16 go?

17 Q. So I want you to look at the
18 correspondence between 7432 and 7436.

19 MR. BOYNTON: We'll start at 7436.

20 THE DEPONENT: Okay.

21 Q. Does this refresh your recollection that
22 Dr. Pruden had reached out to you about voter

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

109

1 registration opportunities at the Something in the
2 Water Festival?

3 A. Yes.

4 Q. And you followed up with Brian Solis about
5 providing that connection; is that right?

6 A. Yes.

7 Q. And who is Brian Solis?

8 A. He is, I'm going to say, a Special Deputy
9 City Manager for that particular event, for
10 Something in the Water, or Special Events.

11 Q. Ultimately the communication says that
12 Donna would follow up with Dr. Pruden; is that
13 right?

14 A. Yes.

15 Q. And is that Donna Whitaker?

16 A. Yes.

17 Q. And do you know if that ended up happening
18 with Dr. Pruden's request to do voter engagement
19 at the Something in the Water Festival?

20 A. I don't.

21 Q. Do you know if any voter engagement
22 activities took place at the Something in the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

110

1 Water Festival?

2 A. No.

3 Q. Okay. I'm sorry. No, they did not or,
4 no, you don't know?

5 A. No, I don't know.

6 Q. Okay.

7 MS. LANG: We'll mark Exhibit 10.

8 (Exhibit 10 was marked and
9 attached to the transcript.)

10 Q. I just wanted to ask you, this second
11 article on this exhibit is about the Dome Project.
12 What is the Dome Project?

13 A. It's, generally, a project revitalizing
14 the old -- was it the old Convention Center
15 building -- or something of that nature.

16 Q. And is that an ongoing project in Virginia
17 Beach?

18 A. Yes.

19 Q. Okay. And did the City Council have to
20 take a vote on that project?

21 A. Yes.

22 Q. Okay. And did you do that earlier this

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

111

1 year?

2 A. We did.

3 Q. Okay. And did you vote in favor or
4 against?

5 A. I voted in favor of the term sheet, I
6 believe, that was proposed at the time.

7 Q. Okay. And you're quoted towards the end
8 of this article saying, Following the disparity
9 study I wanted to try to see the developer try to
10 use more than just the 10 percent use minority
11 subcontractors required. I want that language to
12 change moving forward.

13 A. Yes.

14 Q. Did that language change in the Dome
15 Project term sheet?

16 A. Yes.

17 Q. Okay. What is it? What changes were made
18 to the term sheet?

19 A. So it had the old 10 percent goal. So it
20 was increased to the 12 percent aspirational goal.

21 Q. Okay. And is the Dome Project required to
22 have 12 percent participation or is that just

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

112

1 aspirational?

2 A. You know, I can't say for sure because I
3 don't remember what the contract states.

4 Q. Okay. City Manager Dave Hansen recently
5 resigned; is that right?

6 A. Yes.

7 Q. Okay. Did you support his resignation?

8 A. Yes.

9 Q. Did you call for his resignation?

10 A. No.

11 Q. Did the City Council ask him to resign?

12 A. No.

13 Q. Do you believe City Manager Dave Hansen
14 was performing satisfactorily prior to his
15 resignation?

16 A. I believe his performance was in line with
17 what -- with moving our city forward as far as the
18 goal and vision of the City of Virginia Beach.

19 Q. There had been some incidents that had
20 upset the community with respect to City Manager
21 Dave Hansen; is that correct?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

113

1 Q. He had made some offensive comments?

2 A. Uh-huh.

3 Q. Yes?

4 A. Yes.

5 Q. Did you find his comments offensive?

6 A. I would like to say that I was never in
7 the room to hear it, but I was contacted by
8 constituents who said it was offensive. And from
9 what I heard and what I specifically addressed
10 with him, I was concerned.

11 Q. And some of the comments were memorialized
12 in text messages; is that right?

13 A. Depending on which you're talking about.

14 Q. The five percenters comment?

15 A. Yes.

16 Q. And did you find that comment offensive?

17 A. Yes.

18 Q. Okay. Do you think it was for the best
19 interest of Virginia Beach that City Manager Dave
20 Hansen resign?

21 A. You know, I'd have to say it was his
22 decision. If it was in the best interest of the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

114

1 city, you know, we're starting to see -- we're --
2 you know, because he's the person that filled that
3 role to lead the city. So with his absence we
4 will see if that is the best thing for the city.

5 Q. And is the city in the process now of
6 identifying a new City Manager?

7 A. Yes.

8 Q. Okay. What's that process going to look
9 like?

10 A. From what I understand generally, there
11 was an RFP sent out to a firm to recruit someone
12 for the position. I don't remember when it
13 closed. But once the firm is in place, then there
14 will be some interaction with City Council, with
15 stakeholders in the city community engagement,
16 before someone is actually selected. So it's
17 several steps. I can't say specifically all of
18 them. But there is going to be considerable
19 involvement from City Council, staff, and the
20 community.

21 Q. You weren't involved in any way in the
22 2011 redistricting in Virginia Beach, were you?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

115

1 A. No.

2 MS. LANG: Do you want to take a break?

3 MR. BOYNTON: How much more do you have?

4 MS. LANG: A good bit.

5 MR. BOYNTON: Okay. I guess we'll take
6 five minutes.

7 MS. LANG: Do you want to eat?

8 MR. BOYNTON: No. I think we need to
9 proceed. I have other things I need to do today.

10 A. I can continue.

11 MR. BOYNTON: Okay. Let's keep going.

12 MS. LANG: Okay.

13 Q. Besides your attorneys, have you ever had
14 any conversations with anyone on City Council
15 about minority representation on the City Council?

16 MR. BOYNTON: And before you answer,
17 certainly you can answer the question as to if
18 you've had conversations and even with whom you've
19 had them. To the extent you had private
20 conversations with other Council members and you
21 wish to invoke legislative privilege as to the
22 content of those conversations, that would be a

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

116

1 time where you would invoke it.

2 A. Okay. And can you repeat the question
3 again?

4 Q. Yes.

5 Besides your attorneys, have you had any
6 conversations about minority representation on the
7 City Council?

8 A. I wouldn't say it's really a conversation,
9 but in my campaign that's something that was
10 verbalized. And we've even as a Council talked
11 about that, as well.

12 Q. And would you agree that minority
13 representation on the City Council is important?

14 A. Yes.

15 Q. Okay. And would you also agree that,
16 putting aside the 2018 election, that having
17 proportional minority representation on City
18 Council has been a challenge for Virginia Beach?

19 A. Yes.

20 Q. What obstacles do you see to having
21 consistent minority representation on the Council?

22 A. You know, I can't say specifically with

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

117

1 data, you know, or processes. I can say that
2 constituents have asked me if I would support a
3 resolution for -- to change our system of voting.

4 Q. And what have you told them?

5 A. I've told them I definitely will consider
6 it.

7 Q. Okay. And what's your current position on
8 such a resolution?

9 A. If something like that went forward, I
10 would support it.

11 Q. Okay. Have you considered putting forward
12 such a resolution?

13 A. No.

14 Q. Why not?

15 A. My understanding is that, if I remember
16 correctly, there would be some -- either -- I
17 can't remember if it's because of a referendum, if
18 there would have to be agreement for it to go on a
19 referendum. And there is, also, legislatively, in
20 the General Assembly, some issues that would have
21 to be worked out.

22 Q. Who told you that it would need to go to a

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

118

1 referendum?

2 MR. BOYNTON: To the extent you're getting
3 into legal advice or communications with legal
4 counsel, that's something that would be outside of
5 what you can answer here.

6 A. I can't -- you know, I can't recall.

7 Q. Okay.

8 A. I can't remember who, if it was a specific
9 person or something I heard in conversation. I
10 can't recall.

11 Q. Is it your understanding that a referendum
12 would be required in order for the City Council to
13 decide to pass a resolution to change the
14 electoral system?

15 A. I don't believe it's to be required, but I
16 believe it's the citizens' opinion -- well, the
17 citizens' right to make that decision.

18 Q. Okay. You believe that?

19 A. Yes.

20 Q. You don't -- there are some citizens in
21 Virginia Beach that would very much like a change
22 in the electoral system; is that right?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

119

1 A. Yes.

2 Q. And constituents have voiced that concern
3 to you?

4 A. Yes.

5 Q. And is part of the reason that they want a
6 change that they believe that at-large elections
7 make it hard for minorities to be elected? Is
8 that right?

9 MR. BOYNTON: Object to the form of the
10 question. It asks her to testify to the state of
11 mind of others. She can testify to what they've
12 told her.

13 A. From what I can recall with constituent
14 complaints is that the at-large system is not --
15 is unfair, I'd have to say from what I've
16 understood and heard.

17 Q. So do you think it would be fair to allow
18 a majority of Virginia Beach to defeat a
19 referendum that would change from an unfair to
20 fair electoral system in the view of some of your
21 constituents?

22 MR. BOYNTON: Object to the form of the

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

120

1 question.

2 You can answer.

3 A. You know, that -- it's highly speculative.
4 And I can't say for sure.

5 Q. Have your constituents asked you to put it
6 on a referendum or have they asked you to vote to
7 make a change?

8 A. I don't think specifically I recall them
9 verbalizing either one of those options.

10 Q. Uh-huh.

11 A. I just remember them saying it's unfair,
12 we need to look at the process.

13 Q. Okay. When was the first time you heard
14 about the potential for putting this issue up for
15 a referendum?

16 A. Probably right after I was sworn in.

17 Q. And who mentioned it to you?

18 A. I remember communication from Council
19 Member John Moss about that.

20 MR. BOYNTON: Again, it's okay to identify
21 who you talked to. But if they're private
22 conversations, the content of the conversations is

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

121

1 privileged communication.

2 Q. Was the communication by email?

3 A. You know, I remember a verbal
4 communication about it.

5 Q. I think I heard you say earlier that if
6 the issue were to come up to vote in City Council
7 whether to make a change you would support it?

8 A. Yes.

9 Q. Do you know who else on City Council
10 supports a change in the electoral system?

11 A. You know, I know John Moss does. The rest
12 of City Council, I can't say for sure who. I
13 don't remember. The only person I remember
14 verbalizing it was Mr. Moss.

15 Q. Okay. Have you heard requests
16 specifically from the minority community for a
17 change in the electoral system?

18 A. Yes.

19 Q. Okay. Who in the minority community?

20 A. You know, when I've held meetings I've had
21 various constituents ask and provide that as a
22 concern.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

122

1 Q. And so do you agree that a change in the
2 electoral system would be beneficial for the City
3 of Virginia Beach?

4 A. Yes.

5 Q. And why would that be?

6 A. I think, you know, given the hybrid system
7 that I participated in, I know that I have to
8 campaign all over the city, so there is extra
9 resources and things that are put into that, but I
10 only represent, you know, those in my district.

11 Q. Uh-huh.

12 A. And, you know, I believe that there would
13 be -- you know, there would be a different outcome
14 if it was changed.

15 Q. Do you think it would help improve
16 long-term minority representation on City Council?

17 MR. BOYNTON: Objection. Calls for
18 speculation.

19 But you can answer to the extent you know
20 or have a thought.

21 A. I mean, it's possible.

22 Q. Are you aware that City Council Member

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

123

1 Abbott supports a change in the electoral system?

2 A. I'm trying to remember. I don't remember
3 if she's verbalized that or not.

4 Q. Well, I'll represent to you that she has.

5 A. Okay.

6 Q. Only because I'm going to read some
7 statements from her to you.

8 A. Okay.

9 Q. Ms. Abbott has written that district
10 elections give geographically concentrated groups
11 of voters a better chance of being represented.

12 Would you agree with that statement?

13 A. I don't know.

14 Q. She's written that, Incumbents would find
15 themselves less insulated from the competition of
16 challengers because it's easier and less costly to
17 run a grassroots campaign in a district consisting
18 of roughly 30,000 neighbors rather than to 300,000
19 voters in the largest City of Virginia.

20 You'd agree with that, right?

21 A. I guess I'd say it's objective. That's
22 her opinion.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

124

1 Q. Okay. But you testified just a moment ago
2 that it would be easier and less costly to run in
3 a district system; is that right?

4 A. From my experience.

5 Q. Yes.

6 A. I don't know what her experience or what
7 she's referring to.

8 Q. Fair enough.

9 But your experience is also that it would
10 be easier and less costly?

11 A. In my experience.

12 Q. Okay.

13 A. Yes.

14 Q. Is it your understanding that most large
15 U.S. cities the size of Virginia Beach use
16 district voting and don't have at-large elections?

17 A. Yes.

18 Q. And under the current system it's actually
19 possible for you to lose the Centerville district
20 but still win the seat that represents
21 Centerville; is that right?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

125

1 Q. You had a retreat earlier this year for
2 the City Council; is that right?

3 A. Yes.

4 Q. Okay. When was that?

5 A. We just had one last Tuesday.

6 Q. Okay. And did you have one earlier in the
7 year, too?

8 A. Yes, in February.

9 Q. Okay. Was the issue of changing the
10 electoral scheme on the agenda in either February
11 or yesterday or whenever the most recent retreat
12 was?

13 A. I don't remember February.

14 Q. Was it on the most recent retreat?

15 A. On the most recent one, no.

16 Q. And you don't remember if it was discussed
17 at the prior February retreat?

18 A. I'm not sure.

19 Q. Besides what we've already discussed
20 today, have you had any conversations with current
21 City Council members about changing the electoral
22 scheme?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

126

1 A. You know, I remember as a collective body
2 discussing it.

3 Q. Okay. There was a public meeting about
4 it?

5 A. In our workshop we talked about it.

6 Q. Have you talked about this issue with
7 Mayor Dyer?

8 A. No.

9 Q. Have you talked about this issue with any
10 former City Council members?

11 A. Not that I can recall.

12 Q. Besides what we've already discussed
13 today, have you had any conversations with anyone
14 else about changing the electoral scheme?

15 A. Not that I can recall.

16 Q. Have you talked to the Interdenominational
17 Ministers Conference?

18 A. I don't recall having any specific
19 conversations with them about it.

20 Q. Okay. Would you agree that Virginia Beach
21 has a long history of racial discrimination?

22 A. I would -- my perspective would be racial

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

127

1 tension.

2 Q. Okay. And what do you mean by racial
3 tension?

4 A. My experience relates to past history,
5 when the riots took place.

6 Q. When was that?

7 A. I remember that back in -- I think it
8 could have been '97. I believe it was then. And
9 so that's -- you know, I remember that. I
10 remember, you know, going forward people -- that's
11 etched in people's memories. And so it's in mine,
12 and so that's what I remember. And there's still,
13 you know, tension and feedback from that time.

14 Q. And Virginia Beach used to have segregated
15 schools; is that correct?

16 A. Yes.

17 Q. And Virginia Beach actually shut down its
18 schools for a period of time to avoid integration;
19 is that right?

20 A. You know, I can't recall what school. I
21 can't recall the details.

22 Q. Okay. Fair enough.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

128

1 A. But, I mean -- I can't recall the details.

2 Q. The entire state of Virginia has a history
3 of racial --

4 A. Yes.

5 Q. -- discrimination?

6 A. Yes.

7 Q. Would you agree that many minority
8 communities in Virginia Beach are still suffering
9 some of the downstream effects of that
10 discrimination; and by that I mean
11 disproportionate poverty rates, disproportionate
12 education outcomes, or rates of homeownership?

13 A. Yes.

14 Q. I'd like to spend some time talking about
15 your campaign.

16 A. Okay.

17 Q. When did you decide to run for City
18 Council?

19 A. The decision was made after I received
20 notice that Mayor Dyer was stepping down from the
21 Centerville district seat.

22 Q. And when was that?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

129

1 A. I can't remember if it was sometime in
2 March, April. I think it was 2018, something like
3 that.

4 Q. And were you considering running for
5 office before that or was it that notice that
6 spurred you to think about running for office?

7 A. I'd always considered it.

8 Q. Were you thinking about it specifically
9 for 2018 before you received that notice?

10 A. No.

11 Q. And who let you know that Mayor Dyer's
12 seat was going to be open?

13 A. I saw it on the news.

14 Q. So what did you do when you saw it on the
15 news?

16 A. I talked to some trusted advisors about my
17 thoughts, and, you know, from there proceeded to
18 move forward.

19 Q. And who were those trusted advisors?

20 A. They were -- I think one was my pastor,
21 another minister, and some faculty from Regent
22 University.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

130

1 Q. Your pastor at Parkway?

2 A. At Calvary Revival Church. I spoke to
3 him, as well as the pastor at Parkway.

4 Q. And who was the other minister?

5 A. I believe his name is Jack Rose.

6 Q. Okay. And where is he a minister?

7 A. Calvary Revival Church.

8 Q. Okay. Did you reach out to Mayor Dyer?

9 A. I did.

10 Q. When did you do that?

11 A. After I heard he was not -- he was
12 stepping down from his position to run for Mayor.

13 Q. Okay. And did you reach out to him by
14 email, by phone?

15 A. You know, I think we -- I think it was at
16 a meeting, and I think I mentioned something to
17 him about it.

18 Q. And, then, did you meet with Mayor Dyer
19 about the possibility of running for office?

20 A. I don't think we ever -- no. I don't
21 recall sitting down meeting with him.

22 Q. I recall him testifying that maybe you did

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

131

1 meet once or twice. Does that refresh your
2 recollection?

3 A. You know, I recall -- I recall talking
4 about it, but it never was executed, from my
5 recollection.

6 Q. Okay. And how did you know Mayor Dyer?

7 A. He was a former professor at Regent
8 University.

9 Q. And when was he your professor?

10 A. It was prior to 2014.

11 Q. And had you been in touch with him ever
12 since?

13 A. We -- we stay -- well, I won't say stay
14 communicating. But if I -- if I would see him in
15 passing, we'd always speak.

16 Q. When did you announce your candidacy?

17 A. Probably -- it was after the deadline from
18 voter registration or elections, after they gave
19 me the okay to go forward. I can't remember what
20 date that was or what month, but it was shortly
21 after I received approval to do it.

22 Q. Okay. Was that sometime in the spring,

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

132

1 summer?

2 A. It was more -- it was more so in the
3 summer.

4 Q. Okay.

5 A. Probably -- it could have been in August.
6 I'm not for sure.

7 Q. Okay. So why did you decide to run for
8 office at that time?

9 A. It was something I always had a passion
10 for.

11 Q. Other than the trusted advisors that you
12 mentioned, did anyone encourage you to run?

13 A. No. Uh-uh.

14 Q. Did Mayor Dyer endorse you?

15 A. No.

16 Q. Did anyone endorse you --

17 A. Yes.

18 Q. -- from City Council?

19 A. Yes.

20 Q. Who?

21 A. Counsel Member Rosemary Wilson.

22 Q. Anyone else?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

133

1 A. I cannot -- you know, I can't remember
2 others specifically who came out and endorsed me.
3 I don't recall seeing that.

4 Q. Did any other City Council members attend
5 any fundraisers for you or --

6 A. Yes.

7 Q. -- campaign events?

8 A. Yes.

9 Q. And who were those people?

10 A. Counsel Member Jim Wood. Let's see.
11 Mayor Dyer attended one. That's all I can recall.

12 Q. Okay. Prior to announcing, did you
13 discuss your candidacy with any other city
14 officials other than Mayor Dyer?

15 A. No.

16 Q. Okay. When you communicate with Mayor
17 Dyer, do you do it by phone, text, email?

18 A. Usually by phone.

19 Q. How did you meet Rosemary Wilson?

20 A. I'm trying to remember. Someone gave her
21 my number, and she called me one day.

22 Q. You don't know who?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

134

1 A. It was someone -- I'm trying to remember.
2 She told me it was from the Minority Business
3 Council, so someone there gave her my information.

4 Q. Could it have been Mayor Dyer?

5 A. No.

6 Q. Okay. So she called you?

7 A. Yes.

8 Q. And when did she call you?

9 A. I don't remember the time, the month or --
10 well, it was 2018, but I don't remember the month.

11 Q. Okay. And what did she say when she
12 reached out to you?

13 A. She said someone gave her my number. She
14 wanted to talk to me because she heard I was
15 running for the Centerville district seat.

16 Q. And did you meet with her?

17 A. Yes.

18 Q. Okay. How many times?

19 A. Gosh. I don't know. We met at least --
20 maybe two or three times.

21 Q. Okay. And where did you meet usually?

22 A. Let's see. At her office.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

135

1 Q. Where is her -- what does she do for a
2 living?

3 A. She's a realtor.

4 Q. So at a realtor office?

5 A. Uh-huh.

6 Q. At the first meeting, what did you two
7 discuss?

8 A. Just -- we, of course, didn't know one
9 another, so it was more of her wanting to acquaint
10 herself with me and interested in why I wanted to
11 run.

12 Q. What kind of questions did she ask you
13 about your City Council positions?

14 A. You know, I can't recall our conversation.

15 Q. Uh-huh.

16 A. I can just tell you, generally, she wanted
17 to know who I was, why I was interested. And she
18 encouraged me to educate myself on City Council as
19 a process of what the job entails.

20 Q. And did you do that?

21 A. Yes.

22 Q. How did you do that?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

136

1 A. Through meeting with different departments
2 in the city.

3 Q. What departments did you meet with? Who
4 did you meet with?

5 A. I remember meeting with the Director of
6 Economic Development, Tourism. I met with Brad
7 Van Dommelen. There were probably a few other
8 departments, as well, but those are the ones I
9 recall.

10 Q. Okay. And did Rosemary help you set up
11 those meetings?

12 A. She told me that I needed to talk to
13 someone in those departments.

14 Q. Okay. And why did she think it was
15 important that you talk to people in those
16 departments?

17 A. So I can educate myself on just the whole
18 understanding of what it means, you know, to run
19 and what's involved in making decisions in the
20 city.

21 Q. And when did Rosemary -- Ms. Wilson make
22 the decision to endorse you?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

137

1 A. It was a while -- it was probably a while
2 after -- probably after September or something
3 like that.

4 Q. And she gave to your campaign, as well,
5 right?

6 A. Yes.

7 Q. When did she do that?

8 A. I don't recall when.

9 Q. Go back to Exhibit 2.

10 MR. BOYNTON: The subpoena response.

11 Let's do this. It's going to be easier if
12 I pull my copy out rather than go through that
13 whole pile.

14 Is there a page you'd like to focus on?

15 MS. LANG: Yes. Just one moment. I'll
16 find it.

17 MR. BOYNTON: I think it's maybe the very
18 first page of the response.

19 MS. LANG: It is.

20 MR. BOYNTON: I'm here for you.

21 Q. And this is an email from you to Rosemary
22 Wilson just after Labor Day, thanking her for her

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

138

1 contribution; is that right?

2 A. Correct.

3 Q. Do you remember how much she gave you?

4 A. No.

5 Q. Okay. Did she give to you more than once?

6 A. No. I don't believe so.

7 Q. Okay.

8 MS. LANG: We'll mark Exhibit 11.

9 (Exhibit 11 was marked and
10 attached to the transcript.)

11 Q. This is the subpoena response from
12 Councilwoman Wilson.

13 So about halfway through there is an email
14 from you to Rosemary Wilson dated October 15th,
15 2018. You indicate, Greetings Councilwoman
16 Rosemary. And you say, I am contacting you to let
17 you know that I picked up the contributions from
18 the office on Friday. Thank you for assisting
19 with the contributions.

20 What contributions were those?

21 A. It was not from her. It was from an
22 acquaintance of hers.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

139

1 Q. Do you remember --

2 A. And I can't say specifically because I
3 don't remember.

4 Q. So she collected some contributions for
5 you?

6 A. She didn't collect them. I don't believe
7 she collected them, but I believe she suggested
8 people that I should reach out to --

9 Q. Okay.

10 A. -- to ask for contributions.

11 Q. Okay. And you don't remember who those
12 people were?

13 A. Not all of them. I know some of the ones
14 who contributed to my campaign, so I do know that.

15 Q. Do you know who was referred to you by
16 Rosemary Wilson?

17 A. No. I'm not sure who she was referring to
18 here.

19 Q. More generally, which of your contributors
20 were referred to you by Rosemary Wilson?

21 A. I would have to say people who were
22 referred to me were people who I was told that I

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

140

1 should meet with. Based on my meeting and talking
2 with them is when I decided to ask for a
3 contribution from them.

4 Q. Right. And who was referred to you by
5 Rosemary Wilson?

6 A. From what I remember, I remember R. J.
7 Nutter. What's his name? Eddie Bourdon.

8 Q. Anyone else?

9 A. I believe -- I believe Bruce Thompson.

10 Q. Okay. Do you know why this email appeared
11 in Ms. Wilson's production but it didn't appear in
12 yours?

13 A. I don't.

14 Q. If you go two pages later, there is an
15 email from Rosemary Wilson to you that says, This
16 is more direct and gets what you want to say on
17 one page. And the following page is what appears
18 to be a résumé for you.

19 Did you ask Ms. Wilson to help you with
20 this document?

21 A. I did not ask for help with it, but it was
22 offered.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

141

1 Q. So she offered to help you with a résumé
2 of sorts; is that right?

3 A. A bio.

4 Q. Okay. And so what did you send her? It
5 appears that she sent this document back to you?

6 A. It probably was my résumé. And I'm not
7 sure. I'm just thinking -- because most of this
8 information comes from my résumé.

9 Q. And did you end up using the version that
10 Ms. Wilson prepared for you?

11 A. I believe so.

12 Q. And do you know why this document appeared
13 in Ms. Wilson's production but not in yours?

14 A. No. I cannot say.

15 Q. Is it possible that the search terms that
16 you used were not comprehensive in searching your
17 Gmail?

18 A. It would depend on what was asked in the
19 subpoena and what my thought process was at that
20 time.

21 Q. Okay. Let's look back at what the
22 subpoena says. If you look at number 19 it says,

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

142

1 Provide any and all documents, communication, and
2 things related to communications between
3 defendants Rouse and Wooten and current and former
4 City Council members prior to their election to
5 City Council in November 2018.

6 Do you see that?

7 A. I see that. And probably when I did a
8 search for her, that's what probably came out. As
9 you know, searches are not always comprehensive,
10 so whatever you get at the time. So I provided
11 what I had that came up.

12 Q. Okay. So I think you said that you were
13 endorsed by Rosemary Wilson, had support from --
14 in the form of attending meetings by Council
15 Member Wood and Mayor Dyer. Any other City
16 Council members that provided support to your
17 campaign?

18 A. Not that I can recall.

19 Q. Okay. And you were endorsed by the
20 Chamber of Commerce; is that right?

21 A. Correct.

22 Q. Can you explain to me that endorsement

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

143

1 process?

2 A. There was an invitation that went out to
3 schedule a meeting with the Chamber, set up an
4 appointment. I went in to talk with the members
5 for that specific meeting. They asked a series of
6 questions, and I answered.

7 Q. Okay. And then, after that, they let you
8 know that they would endorse you?

9 A. Correct.

10 Q. And do they have an event for their
11 endorsements or what do they do to communicate
12 their endorsement?

13 A. You know, I received a letter from them
14 saying that they endorsed me. And it's my
15 understanding they send out communication to their
16 members.

17 Q. Okay. What other endorsements did you get
18 during your campaign?

19 A. I don't have the full list, but I do
20 remember the VBEA, the Hampton Roads Black
21 Chamber.

22 Q. What's the VBEA?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

144

1 A. Virginia Beach Educational Association.
2 Virginia Beach Professional Firefighters,
3 the Fraternal Order of Police, Tidewater Builders
4 Association, AAPAC. And I can't tell you all the
5 letters, but it is an African American
6 organization.

7 Q. Okay.

8 A. Virginia Realtors Association. That's all
9 I can think of right now.

10 Q. Great.

11 What was your platform when you were
12 running for City Council?

13 A. It consisted of, but not limited to,
14 education, great neighborhoods, public safety,
15 human trafficking, opioids, and empowering small
16 businesses or empowering local businesses.

17 Q. And what types of campaigning did you do?

18 A. Certainly knocking on doors, used social
19 media, and attended forums and Civic League
20 meetings.

21 Q. Did you have any paid advertising?

22 A. Yes.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

145

1 Q. What forms of paid advertising did you
2 use?

3 A. Facebook. There were some ads run on
4 Facebook. And there was a commercial that was
5 developed for me.

6 Q. Okay. Who developed the commercial?

7 A. So I can't think of the name of the
8 organization. I can't even think of his -- I know
9 his name is Dave or something like that. Dave.

10 Q. How did you meet Dave?

11 A. Dave is a -- he was an acquaintance of --
12 his last name is escaping me -- Ben Davenport.

13 Q. Prior to your campaign, were you
14 acquainted with George Minns?

15 A. Yes. Well, not prior to my campaign.

16 Q. Okay. You met him during your campaign?

17 A. Yes.

18 Q. Okay. How did you meet him during your
19 campaign?

20 A. I first met him at a Seatack League event
21 or meeting.

22 Q. You mentioned this earlier, but can you

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

146

1 describe to me a little bit more the obstacles or
2 challenges in running in a city as large as
3 Virginia Beach?

4 A. You certainly have to -- you know, you
5 have to reach out to the entire city, and so, you
6 know, you have to meet as many people, go to as
7 many Civic Leagues as you can, and you have to get
8 your name out.

9 Q. And is the media market expensive to be
10 able to advertise to the whole city?

11 A. Yes.

12 Q. Were you lucky to be able to generate a
13 good amount of fundraising revenue to support your
14 campaign?

15 A. Well, I would say, you know, I had a
16 considerable amount of support from my family and
17 friends, so I was blessed to have them to support
18 me. I worked an extra job to support myself
19 because it was my endeavor. And, then, I also had
20 contributions that were given to me.

21 Q. And do you know how your fundraising
22 compares to other City Council candidates?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

147

1 A. No.

2 Q. Okay. Did you support a slate of other
3 candidates alongside your own candidacy or did you
4 only support yourself?

5 A. No. I don't recall supporting anybody. I
6 was new, just getting into -- I wouldn't be able
7 to do that.

8 Q. Are you aware of an incident that was
9 reported at a polling location that someone
10 working for one of the campaigns was handing out
11 slates of candidates that differed based on the
12 race of the voter that was receiving the flyer?

13 A. Can you clarify what you're asking?

14 Q. Have you heard about this incident in
15 which the flyer that was given out to voters by a
16 volunteer depended on the race of the voter?

17 A. You know, I remember hearing -- and I
18 don't know if this is what you're talking about.
19 I remember hearing something related to
20 Republican -- the Republican ticket, Aaron Rouse
21 and John Moss, that ticket.

22 Q. Okay. And it differing by race depending

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

148

1 on the race of the voter whether or not Aaron
2 Rouse was included?

3 A. I'm sorry. Say that again.

4 Q. You remember hearing something about this.
5 Was it that the ticket included Aaron Rouse if the
6 voter was African American but did not include
7 Aaron Rouse if the voter was white?

8 A. I don't remember if that's what it was,
9 but I remember hearing something about that
10 Republican ticket.

11 Q. Okay. Did you know Aaron Rouse before he
12 ran for City Council?

13 A. Not before he ran for City Council, no.

14 Q. Did you ever hear about him -- hear of him
15 before he ran for City Council?

16 A. A friend of mine did mention he would
17 possibly run.

18 Q. Okay. And who was that friend?

19 A. Susan Roberts.

20 Q. Why didn't you run for one of the at-large
21 seats rather than the Centerville district?

22 A. I wanted to serve in a district that I

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

149

1 lived in.

2 Q. Did you ever consider running for the
3 at-large seats?

4 A. No.

5 Q. Okay. Do you know if any Latino
6 candidates have ever been elected to City Council?

7 A. I don't.

8 Q. Do you know if any Asian Americans, other
9 than Ron Villanueva, have ever been elected to
10 City Council?

11 A. No.

12 Q. No, they have not or, no, you don't know?

13 A. No, I don't know.

14 Q. Okay. Who's Joseph Lee?

15 A. If he -- if he's the person that I'm
16 thinking of, I believe he's a constituent.

17 Q. Is he a constituent you've met with
18 in-person?

19 A. No.

20 Q. Okay.

21 MS. LANG: We'll mark Exhibit 11.

22 MR. BOYNTON: 12.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

150

1 MS. LANG: 12.

2 (Exhibit 12 was marked and
3 attached to the transcript.)

4 MR. BOYNTON: Has this been previously
5 provided in discovery?

6 MS. LANG: No. I don't believe so.

7 I should correct that. I'm not sure.
8 We've provided a number of supplements.

9 MR. BOYNTON: That's their typewritten.
10 And this is what's printed out from whatever
11 source they obtained it from.

12 MS. LANG: We have obtained this list,
13 screenshots, from vpap.org/money, which is a
14 source for the donors of -- the public donors of
15 elected officials.

16 Q. What is Bretson Companies? Breeden
17 Companies? Sorry. I apologize.

18 A. I believe they are developers in the City
19 of Virginia Beach.

20 Q. Do you know anyone at Breeden Companies?

21 A. I've met -- I've met a gentleman from
22 Breeden Company. I can't think of his name right

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

151

1 now, his first name. But, yes, I've met
2 Mr. Breeden.

3 Q. Mr. Breeden. Okay.

4 A. Uh-huh.

5 Q. And who introduced you to Mr. Breeden?

6 A. Ben Davenport.

7 Q. Okay. And who is Mr. Davenport?

8 A. Mr. Davenport was a candidate for the
9 Mayoral seat in 2018.

10 Q. And what is his profession, other than his
11 prior run for City Council?

12 A. I believe he's a developer.

13 Q. How did you meet Mr. Davenport?

14 A. I believe I've met him at a campaign
15 function.

16 Q. And he, then, helped you meet some other
17 donors; is that correct?

18 A. Correct.

19 Q. Bruce Thompson also contributed to your
20 campaign; is that right?

21 A. Yes.

22 Q. Mr. Thompson and Bruce Smith have some

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

152

1 differences of opinion about City Council policy;
2 is that right?

3 A. I don't know.

4 Q. You're not familiar with any public
5 statements back and forth between Bruce Thompson
6 and Bruce Smith?

7 A. I don't get into those kinds of things.
8 That's not something I have any knowledge of.

9 Q. Do you know if Bruce Thompson supported
10 the disparity study?

11 A. I don't know.

12 Q. Okay. How many times have you and Bruce
13 Thompson met?

14 A. Let's see. Over the course of my
15 campaign, I can't recall how many specifically.
16 But those that I can recall meeting --

17 Q. More than five?

18 A. Not more than five.

19 Q. Okay.

20 A. Yeah.

21 Q. So you have not met him more than five
22 times, you would say?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

153

1 A. Not more than five times.

2 Q. Have you ever spoken to him by phone?

3 A. Yes.

4 Q. How many times have you spoken to him on
5 the phone?

6 A. I don't know.

7 Q. More than five?

8 A. I can't say. I don't know if it was even
9 more than five.

10 Q. Okay.

11 A. It probably was not more than five. I
12 don't talk to him frequently.

13 Q. Okay. Do you have any email
14 correspondence with Mr. Thompson?

15 A. I'm not sure.

16 Q. Mr. Thompson is a developer; is that
17 right?

18 A. Yes.

19 Q. Who's Michael Sifen?

20 A. You know, I met -- I think I met Mike one
21 time. I don't really know his business, his
22 course of business. I can't say for sure.

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

154

1 Q. And how did you meet him?

2 A. Through Mr. Davenport.

3 Q. Through Mr. Davenport.

4 Okay. What is the Franklin Johnston
5 Group?

6 A. They are, I believe, developers. They
7 develop affordable housing.

8 Q. And how did you meet them?

9 A. I met with Mr. Johnston.

10 Q. Who introduced you to Mr. Johnston?

11 A. Ben Davenport.

12 Q. What is McLesky?

13 A. I believe McLesky, they have -- I believe
14 they are in development, as well.

15 Q. Okay. And how did you meet them?

16 A. I met her through Rosemary Wilson.

17 Q. Okay. What about John Malbon?

18 A. Met him through Mr. Davenport.

19 Q. Mr. Davenport, did he used to be on City
20 Council at any point?

21 A. Yes.

22 Q. Okay. Was he on City Council at the time

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

155

1 in 2018?

2 A. Yes.

3 Q. Okay. Did he endorse you, as well, or
4 just introduce you to some potential funders?

5 A. Mr. Davenport never came out publicly to
6 endorse me.

7 Q. But you had internal conversations with
8 him; is that right?

9 A. Had several conversations with him.

10 Q. And he introduced you to a number of your
11 contributors?

12 A. He did.

13 Q. Do you know what HHH2 or J3H3 are?

14 A. I don't.

15 Q. Okay. Do you know who Dwight Dunton is?

16 A. No.

17 Q. Okay. I imagine Olivia Wooten is a family
18 member, correct?

19 A. Correct.

20 Q. How is she related to you?

21 A. She is my sister-in-law.

22 Q. And Sabrina Devon Wooten, is that you or a

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

156

1 family member?

2 A. Me.

3 Q. Okay. I wasn't sure if you had a family
4 name.

5 What's Runnymede Corp.?

6 A. I can't recall.

7 Q. Okay. Who is Clarence Neely?

8 A. Clarence Neely, he is a supporter.

9 Q. And who introduced you to Mr. Neely?

10 A. He introduced himself to me.

11 Q. Okay. Do you know what his business is?

12 A. I believe he's in security.

13 Q. Okay. And what about Armada Hoffler
14 Enterprises?

15 A. I've never met them personally.

16 Q. Delceno Miles?

17 A. She's a supporter. And she's an
18 acquaintance from church.

19 Q. From Parkway?

20 A. No. Calvary Revival Church.

21 Q. Calvary.

22 Christopher Perry?

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

157

1 A. I can't recall who he is.

2 Q. Robert Prodan?

3 A. I remember him reaching out to me, but I
4 don't -- I never met him.

5 Q. Who is Will Sessoms?

6 A. He's the former Mayor of Virginia Beach.

7 Q. How did you meet Mr. Sessoms?

8 A. Actually, probably first met him through
9 the Minority Business Council.

10 Q. Did he support your campaign in any other
11 ways, other than giving?

12 A. No. I don't believe so.

13 Q. Did you talk to him about this donation?

14 A. I don't recall if I spoke to him
15 specifically about that donation.

16 Q. And when was he Mayor?

17 A. I'm not sure when he won his election. I
18 can't recall the dates that he served. I know he
19 resigned in 2018.

20 Q. Okay. And why did he resign?

21 A. I don't know.

22 Q. Okay. And, then, the Tidewater Builders

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

158

1 Association is a developer association; is that
2 right?

3 A. I believe so.

4 Q. And Rosemary Wilson is listed on the next
5 page. She gave you a donation of \$250; is that
6 right?

7 A. Correct.

8 MS. LANG: Can I have about two minutes to
9 confer with my colleague, and then I think we'll
10 be about done?

11 MR. BOYNTON: Sure.

12 (A recess was taken.)

13 MS. LANG: Ms. Wooten, I don't have any
14 further questions.

15 Mr. Boynton, do you have any questions?

16 MR. BOYNTON: No questions.

17 You have a right to read and sign your
18 deposition. The purpose of reading and signing is
19 to go through it and make sure it's been
20 transcribed accurately. They give you a little
21 errata sheet, and you can say, no, I said this
22 word, not that word, that kind of thing, or

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

159

1 spelling. And we've been advising everyone to
2 read.

3 THE DEPONENT: Yes.

4 MR. BOYNTON: So she'll read.

5

6 (Signature having not been waived, the
7 deposition of SABRINA D. WOOTEN was concluded at
8 2:00 p.m.)

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Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

160

ACKNOWLEDGMENT OF DEPONENT

I, SABRINA D. WOOTEN, do hereby
acknowledge that I have read and examined the
foregoing testimony, and the same is a true,
correct, and complete transcription of the
testimony given by me and any corrections appear
on the attached Errata Sheet signed by me.

(DATE)

(SIGNATURE)

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

161

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2 I, Penny C. Wile, RPR, RMR, CRR, the
3 officer before whom the foregoing deposition was
4 taken, do hereby certify that the foregoing
5 transcript is a true and correct record of the
6 testimony given; that said testimony was taken by
7 me stenographically and thereafter reduced to
8 typewriting under my direction; that reading and
9 signing was requested; and that I am neither
10 counsel for, related to, nor employed by any of
11 the parties to this case and have no interest,
12 financial or otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and affixed my notarial seal this 26th day of
15 September, 2019.

16 My commission expires: January 31, 2021.

17
18
19
20  

21 NOTARY PUBLIC IN AND FOR
22 THE COMMONWEALTH OF VIRGINIA

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

162

A			
<p>aapac 144:4 aaron 21:13, 147:20, 148:1, 148:5, 148:7, 148:11 abar 87:2, 87:3, 87:6 abbott 70:12, 123:1, 123:9 able 78:8, 83:5, 84:10, 91:5, 96:21, 98:20, 103:12, 106:17, 146:10, 146:12, 147:6 about 7:22, 8:22, 9:14, 9:15, 10:14, 13:2, 13:6, 14:8, 15:13, 15:22, 17:13, 25:17, 26:1, 26:19, 27:12, 27:18, 29:3, 29:11, 29:21, 30:14, 39:19, 43:12, 43:21, 46:15, 47:18, 53:6, 57:22, 59:14, 60:14, 63:1, 67:7, 67:16, 67:17, 68:20, 71:20, 74:17, 75:12, 77:3, 79:5, 80:9, 80:12, 81:4, 81:8, 85:22, 86:4, 86:8, 87:9, 88:21, 89:15, 91:8, 91:18, 94:16,</p>	<p>95:3, 95:6, 95:17, 102:1, 102:4, 103:22, 106:21, 108:3, 108:22, 109:4, 110:11, 113:13, 115:15, 116:6, 116:11, 120:14, 120:19, 121:4, 125:21, 126:3, 126:5, 126:6, 126:9, 126:14, 126:19, 128:14, 129:6, 129:8, 129:16, 130:17, 130:19, 131:4, 135:13, 138:13, 147:14, 147:18, 148:4, 148:9, 148:14, 152:1, 154:17, 156:13, 157:13, 157:15, 158:8, 158:10 abouts 32:15, 58:2 absence 114:3 absolutely 54:10 access 43:13, 43:21, 44:3, 64:12, 64:17, 79:20, 95:5 account 19:16, 20:1, 20:2 accounts 17:16, 22:1, 22:3, 28:22, 42:9 accurately 158:20 acknowledge 160:3 acknowledgment 160:1 acquaint 135:9</p>	<p>acquaintance 138:22, 145:11, 156:18 acquainted 145:14 across 63:1, 95:1 action 43:8 active 31:8, 90:21 activities 34:18, 53:22, 74:18, 107:21, 109:22 actually 34:20, 45:11, 57:21, 63:6, 94:13, 105:13, 107:16, 107:19, 114:16, 124:18, 127:17, 157:8 adams 89:17, 91:14 add 101:7 added 45:6, 98:12 adding 98:8, 99:5 additional 101:8 address 16:11, 17:3, 27:22, 28:10, 60:18, 71:20, 104:2 addressed 113:9 addresses 16:16, 16:18 addressing 71:10, 102:19 adjunct 17:21 administration 9:22, 10:2, 10:13</p>	<p>administrative 11:18, 12:11, 23:5, 23:9 adopted 46:3 ads 145:3 advertise 52:21, 146:10 advertising 144:21, 145:1 advice 118:3 advising 159:1 advisors 129:16, 129:19, 132:11 advocacy 70:18, 71:8 advocate 82:17 affect 93:17 affected 93:9 affirming 45:3 affixed 161:14 affordable 154:7 african 18:7, 46:21, 47:7, 53:19, 58:1, 90:17, 108:3, 144:5, 148:6 after 5:4, 12:17, 33:11, 39:10, 48:9, 68:6, 69:4, 77:11, 77:22, 91:7, 120:16, 128:19, 130:11, 131:17, 131:18, 131:21, 137:2, 137:22,</p>

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

163

143:7 again 75:22, 79:4, 116:3, 120:20, 148:3 against 92:9, 111:4 agenda 20:17, 41:18, 43:3, 45:6, 65:12, 65:19, 65:22, 66:4, 66:6, 66:8, 66:12, 67:4, 67:7, 125:10 ago 18:4, 31:16, 72:4, 124:1 agree 98:18, 100:10, 116:12, 116:15, 122:1, 123:12, 123:20, 126:20, 128:7 agreement 100:3, 117:18 ahead 7:8, 46:20 al 1:9, 3:12 all 10:3, 21:13, 23:2, 24:7, 29:15, 35:11, 36:21, 47:10, 49:10, 57:10, 60:22, 61:7, 62:19, 68:7, 68:9, 68:14, 70:20, 70:21, 75:18, 85:21, 95:20, 95:21, 97:18, 99:18, 114:17, 122:8, 133:11, 139:13, 142:1, 144:4, 144:8 all-around 63:20	allen 1:6, 3:3, 57:7, 57:17, 83:7 alliance 87:21 allocated 96:15 allocation 74:18, 94:2 allow 65:10, 119:17 along 22:13, 61:11 alongside 147:3 already 45:5, 125:19, 126:12 also 3:22, 6:12, 18:19, 21:11, 24:11, 28:3, 31:17, 39:13, 61:6, 61:22, 80:9, 96:16, 101:17, 116:15, 117:19, 124:9, 146:19, 151:19 always 6:4, 32:4, 94:22, 95:18, 129:7, 131:15, 132:9, 142:9 american 18:7, 46:22, 47:7, 47:18, 53:19, 54:18, 58:1, 90:17, 144:5, 148:6 americans 149:8 amount 99:7, 146:13, 146:16 andrew 83:7 anne 23:19, 61:6	announce 131:16 announcing 133:12 another 12:9, 81:18, 81:20, 82:14, 100:19, 129:21, 135:9 answer 6:17, 7:7, 7:8, 7:14, 7:18, 8:11, 14:19, 30:21, 47:2, 50:8, 70:6, 93:20, 115:16, 115:17, 118:5, 120:2, 122:19 answered 143:6 answers 6:5, 15:19 any 7:17, 8:3, 12:3, 14:12, 15:12, 15:15, 15:21, 16:2, 16:7, 17:17, 18:12, 18:21, 18:22, 19:3, 19:18, 21:15, 21:16, 23:2, 23:4, 25:20, 27:5, 27:7, 28:2, 29:8, 35:8, 35:12, 36:3, 36:6, 36:9, 36:14, 36:21, 37:14, 37:21, 47:9, 47:13, 50:21, 51:2, 51:21, 53:15, 62:22, 67:12, 68:15, 70:3, 71:7, 73:8, 73:15, 73:16, 73:21, 74:1, 81:15,	83:3, 88:4, 89:19, 95:2, 95:6, 95:15, 96:11, 97:13, 102:14, 103:13, 109:21, 114:21, 115:14, 116:5, 125:20, 126:9, 126:13, 126:18, 133:4, 133:5, 133:13, 142:1, 142:15, 144:21, 149:5, 149:8, 152:4, 152:8, 153:13, 154:20, 157:10, 158:13, 158:15, 160:6, 161:10 anybody 35:21, 40:11, 58:5, 86:3, 101:9, 103:21, 147:5 anyone 14:1, 15:21, 21:10, 23:4, 37:4, 51:15, 56:1, 58:21, 59:3, 72:6, 77:19, 92:9, 106:16, 115:14, 126:13, 132:12, 132:16, 132:22, 140:8, 150:20 anything 17:4, 53:18, 54:11, 55:9, 61:20, 105:18 anywhere 20:6, 60:21, 62:10 apologize 150:17 appear 42:22, 84:11, 140:11, 160:6 appeared 140:10, 141:12
--	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

164

<p>appears 41:18, 45:22, 140:17, 141:5</p> <p>apple 19:10, 19:11</p> <p>applicable 8:3</p> <p>application 38:20</p> <p>applications 21:16</p> <p>applied 38:14</p> <p>apply 38:15, 40:6, 40:11</p> <p>appointed 32:1, 32:6, 32:22, 33:6, 34:11, 49:7</p> <p>appointment 32:20, 143:4</p> <p>appropriate 76:18</p> <p>approval 77:9, 131:21</p> <p>approve 49:4</p> <p>approves 49:18, 99:1</p> <p>approximately 11:2, 13:11</p> <p>april 58:4, 129:2</p> <p>ar 87:4</p> <p>architectural 88:17</p> <p>area 43:8, 65:21</p> <p>areas 47:11, 60:10, 61:1, 61:6, 61:7, 94:18</p> <p>arise 13:17</p> <p>armada 156:13</p>	<p>around 13:12</p> <p>article 110:11, 111:8</p> <p>ashville 61:5</p> <p>asian 46:22, 47:18, 54:12, 54:15, 54:18, 87:2, 87:3, 87:5, 87:7, 149:8</p> <p>aside 27:6, 63:13, 116:16</p> <p>asked 7:14, 8:4, 26:17, 26:19, 27:9, 29:16, 30:1, 39:1, 44:17, 92:4, 94:16, 101:11, 101:17, 117:2, 120:5, 120:6, 141:18, 143:5</p> <p>asking 71:1, 92:17, 105:4, 147:13</p> <p>asks 17:5, 77:13, 106:3, 119:10</p> <p>aspirational 46:3, 46:8, 67:22, 68:12, 71:16, 72:17, 72:22, 73:4, 92:9, 111:20, 112:1</p> <p>assembly 117:20</p> <p>assert 7:4, 8:10</p> <p>assist 85:6</p> <p>assistance 64:20, 102:18</p> <p>assistant 11:1, 11:15</p>	<p>assisting 138:18</p> <p>associate 40:1, 40:3</p> <p>association 102:20, 103:2, 144:1, 144:4, 144:8, 158:1</p> <p>assume 7:1</p> <p>at-large 119:6, 119:14, 124:16, 148:20, 149:3</p> <p>attached 38:22, 41:15, 41:19, 56:10, 56:14, 56:18, 72:2, 74:22, 83:18, 92:16, 97:12, 104:15, 108:14, 110:9, 138:10, 150:3, 160:7</p> <p>attend 48:22, 53:10, 54:16, 80:5, 82:21, 83:3, 83:5, 102:17, 133:4</p> <p>attendance 53:3, 79:13, 79:14</p> <p>attended 35:16, 37:14, 55:7, 55:11, 91:18, 133:11, 144:19</p> <p>attending 142:14</p> <p>attention 97:20</p> <p>attorney 2:5, 3:15, 7:3, 15:2, 15:4, 15:7, 49:9, 66:22, 69:10</p> <p>attorney's 65:16, 69:9</p>	<p>attorney-client 14:18</p> <p>attorneys 14:10, 14:13, 14:16, 14:17, 26:21, 115:13, 116:5</p> <p>audience 91:10, 91:21</p> <p>audit 93:3, 93:6, 93:11</p> <p>auditor 49:9</p> <p>august 12:21, 13:10, 18:1, 18:2, 132:5</p> <p>authority 49:12</p> <p>authorized 45:12</p> <p>availability 52:8</p> <p>available 16:8, 91:3, 100:16</p> <p>avoid 127:18</p> <p>aware 26:18, 48:9, 63:3, 65:6, 95:2, 95:22, 96:5, 122:22, 147:8</p> <p>awareness 42:1, 42:4, 42:12, 60:16, 62:2</p> <p>away 66:6</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 26:9, 59:8, 59:19, 60:22, 65:10, 69:9, 73:22, 74:17,</p>
--	--	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

165

75:4, 75:8, 76:11, 76:16, 77:2, 86:14, 127:7, 137:9, 141:5, 141:21, 152:5 background 9:16, 10:15, 14:22 backwards 104:18 baena 55:20, 55:21 based 44:22, 140:1, 147:11 basic 5:17 basically 37:12, 42:6, 78:13, 79:4, 105:17 basis 8:18, 64:16 bay 60:22 beach 1:9, 1:15, 2:5, 2:9, 3:12, 3:15, 3:19, 5:13, 7:21, 8:22, 9:1, 9:7, 19:22, 33:2, 33:7, 35:21, 36:15, 36:19, 38:6, 43:14, 43:22, 44:4, 46:15, 46:19, 53:20, 59:4, 60:20, 61:19, 63:5, 63:16, 84:2, 84:3, 85:5, 87:20, 88:18, 95:18, 108:10, 110:17, 112:18, 113:19, 114:22, 116:18, 118:21, 119:18, 122:3,	124:15, 126:20, 127:14, 127:17, 128:8, 144:1, 144:2, 146:3, 150:19, 157:6 became 52:3 because 13:2, 13:6, 17:14, 40:5, 45:9, 76:1, 76:18, 82:12, 84:10, 84:15, 95:15, 112:2, 114:2, 117:17, 123:6, 123:16, 134:14, 139:2, 141:7, 146:19 become 38:11 becoming 51:20, 53:17, 68:16 been 5:4, 5:15, 8:21, 9:11, 13:3, 19:2, 28:4, 28:6, 31:2, 32:21, 33:6, 34:8, 34:13, 34:14, 34:19, 35:9, 35:10, 35:17, 37:7, 41:16, 45:5, 51:21, 59:14, 67:13, 70:22, 73:9, 78:18, 79:14, 94:1, 94:3, 96:1, 112:19, 116:18, 127:8, 131:11, 132:5, 134:4, 149:6, 149:9, 150:4, 158:19, 159:1, 159:6 before 2:17, 5:15,	7:15, 8:2, 9:6, 28:18, 32:18, 33:11, 33:13, 36:10, 36:11, 39:22, 42:16, 58:6, 59:1, 59:4, 75:15, 78:15, 114:16, 115:16, 129:5, 129:9, 148:11, 148:13, 148:15, 161:3 begin 72:8 behalf 3:2, 3:11, 26:22 being 18:17, 39:17, 71:20, 78:12, 102:15, 123:11 believe 12:21, 13:12, 13:19, 15:19, 20:8, 38:7, 39:1, 39:20, 41:2, 41:10, 46:9, 49:8, 49:9, 55:20, 55:22, 68:14, 73:6, 77:18, 78:6, 82:12, 83:6, 85:10, 86:13, 87:10, 88:6, 88:14, 89:8, 89:11, 93:15, 94:5, 102:11, 104:1, 104:4, 107:19, 111:6, 112:13, 112:16, 118:15, 118:16, 118:18, 119:6, 122:12, 127:8, 130:5, 138:6, 139:6, 139:7, 140:9, 141:11, 149:16, 150:6, 150:18,	151:12, 151:14, 154:6, 154:13, 156:12, 157:12, 158:3 believed 76:18 ben 145:12, 151:6, 154:11 beneficial 122:2 berlucchi 21:14, 37:8, 38:3 besides 12:4, 115:13, 116:5, 125:19, 126:12 best 6:15, 6:16, 17:6, 21:11, 31:14, 72:14, 73:5, 80:13, 113:18, 113:22, 114:4 better 78:1, 81:19, 81:21, 94:22, 123:11 between 11:8, 49:21, 72:21, 73:2, 79:17, 108:18, 142:2, 152:5 bigger 63:15, 82:16 biggest 63:4, 63:18 binding 50:10, 50:11 bing 106:22, 107:3, 107:5 bio 141:3 bishop 11:20 bit 6:11, 63:14,
---	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

166

73:19, 115:4, 146:1 black 12:1, 13:14, 54:8, 143:20 blessed 146:17 bloom 104:3, 104:5, 104:19, 106:11 board 93:4, 93:7, 93:17, 94:3, 95:1 board's 60:9 bob 33:20, 41:10 body 49:18, 126:1 bor 87:14 bottom 45:1, 98:7 bourdon 140:7 box 19:18 boynton 3:13, 8:1, 14:15, 15:7, 15:10, 17:4, 27:1, 28:12, 42:20, 45:8, 45:20, 46:11, 47:1, 49:13, 50:5, 50:13, 59:13, 70:6, 75:1, 75:5, 75:8, 75:14, 75:18, 75:22, 76:3, 76:5, 76:8, 81:5, 92:21, 93:18, 97:13, 97:15, 105:4, 105:12, 108:15, 108:19, 115:3, 115:5,	115:8, 115:11, 115:16, 118:2, 119:9, 119:22, 120:20, 122:17, 137:10, 137:17, 137:20, 149:22, 150:4, 150:9, 158:11, 158:15, 158:16, 159:4 brad 106:3, 106:5, 106:11, 136:6 break 7:15, 59:14, 96:20, 115:2 breaking 71:18 breaks 7:12 breeden 150:16, 150:20, 150:22, 151:2, 151:3, 151:5 bretson 150:16 brian 24:16, 24:20, 25:5, 25:17, 25:18, 109:4, 109:7 bring 16:2, 65:8, 80:2 bringing 60:16, 62:2 brown 22:19, 22:22, 23:1, 23:15, 24:2, 51:6, 51:8, 51:11 bruce 43:4, 89:21, 90:13, 91:12, 140:9, 151:19, 151:22, 152:5, 152:6, 152:9, 152:12 bs 9:19	budget 49:2, 49:4, 93:4, 93:7, 93:10, 93:17, 94:3, 96:14, 98:13, 98:22, 99:2, 99:22, 100:8, 100:11, 100:14 budgeting 98:3 builders 144:3, 157:22 building 2:7, 3:17, 110:15 buildings 52:7 business 9:22, 17:16, 18:14, 18:15, 19:22, 20:14, 25:7, 33:3, 33:14, 38:5, 38:9, 38:12, 39:6, 39:12, 40:4, 40:5, 40:6, 40:9, 40:12, 40:16, 41:6, 41:18, 41:21, 43:14, 43:21, 46:1, 46:4, 51:3, 54:17, 55:11, 64:13, 64:15, 72:18, 76:17, 79:5, 79:7, 87:3, 87:5, 87:16, 87:18, 88:22, 96:21, 106:13, 134:2, 153:21, 153:22, 156:11, 157:9 businesses 40:19, 60:3, 64:7, 64:11, 73:17, 74:2, 79:9, 79:16,	79:17, 79:21, 80:1, 80:5, 80:6, 101:2, 101:8, 144:16 buy-in 76:21 <hr/> C <hr/> cabinet 22:13 call 74:4, 77:13, 77:14, 77:16, 77:22, 112:9, 134:8 called 13:20, 24:21, 106:21, 133:21, 134:6 calls 47:2, 50:19, 93:18, 122:17 calvary 10:21, 11:3, 11:15, 11:21, 12:4, 12:7, 13:5, 51:14, 58:12, 130:2, 130:7, 156:20, 156:21 camden 11:12 came 9:1, 58:12, 70:14, 85:12, 88:8, 133:2, 142:8, 142:11, 155:5 camera 63:14 campaign 3:5, 22:15, 23:11, 23:14, 24:3, 24:10, 26:3, 26:12, 27:21, 28:4, 28:7, 28:19, 28:20, 31:15,
--	---	---	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

167

<p>31:17, 31:20, 35:22, 36:3, 36:4, 36:9, 36:13, 36:16, 51:16, 51:18, 57:18, 84:17, 116:9, 122:8, 123:17, 128:15, 133:7, 137:4, 139:14, 142:17, 143:18, 145:13, 145:15, 145:16, 145:19, 146:14, 151:14, 151:20, 152:15, 157:10 campaigning 144:17 campaigns 31:12, 31:13, 32:5, 35:19, 37:19, 37:22, 147:10 campus 82:14 can't 18:1, 23:7, 23:19, 27:4, 29:15, 31:15, 32:3, 32:7, 34:3, 34:9, 35:6, 35:10, 35:13, 44:5, 44:6, 47:22, 48:1, 48:8, 49:14, 53:13, 53:15, 56:3, 58:3, 61:7, 72:16, 73:11, 74:5, 74:8, 80:15, 82:8, 85:13, 87:10, 90:9, 94:21, 97:4, 99:12, 100:1, 100:3, 101:9, 102:13, 102:21, 103:19, 104:6, 104:11, 106:7, 112:2,</p>	<p>114:17, 116:22, 117:17, 118:6, 118:8, 118:10, 120:4, 121:12, 127:20, 127:21, 128:1, 129:1, 131:19, 133:1, 135:14, 139:2, 144:4, 145:7, 145:8, 150:22, 152:15, 153:8, 153:22, 156:6, 157:1, 157:18 candidacy 31:7, 131:16, 133:13, 147:3 candidate 151:8 candidates 36:22, 37:15, 38:2, 146:22, 147:3, 147:11, 149:6 cannon 23:18 cannot 7:18, 133:1, 141:14 capacity 17:20, 26:20, 84:19 capital 79:8 care 61:22 career 10:14 carried 11:18 case 1:7, 16:6, 26:18, 27:9, 51:22, 161:11 caveat 14:14 cellphone 20:9 center 2:7, 3:5, 3:17,</p>	<p>11:11, 12:13, 12:20, 13:13, 81:12, 81:16, 82:11, 82:15, 82:18, 110:14 centerville 5:13, 9:9, 9:12, 9:13, 47:20, 48:10, 124:19, 124:21, 128:21, 134:15, 148:21 central 82:16 ceo 88:14 ceremony 83:14 certain 62:12 certainly 115:17, 144:18, 146:4 certificate 161:1 certify 161:4 cetera 17:10 chair 39:13, 39:15, 39:16 challenge 116:18 challengers 123:16 challenges 63:5, 63:15, 63:18, 146:2 chamber 30:17, 55:13, 55:17, 55:19, 56:2, 87:2, 87:5, 87:7, 87:9, 87:13, 87:16, 142:20, 143:3, 143:21 chance 24:14, 24:20,</p>	<p>25:4, 25:6, 25:9, 51:6, 123:11 chandler 85:3 change 111:12, 111:14, 117:3, 118:13, 118:21, 119:6, 119:19, 120:7, 121:7, 121:10, 121:17, 122:1, 123:1 changed 122:14 changes 111:17 changing 125:9, 125:21, 126:14 chaplain 61:18 chapter 108:11 checking 105:20 cheryl 23:16, 23:17, 23:18, 24:6 chesapeake 9:5, 9:6, 12:10, 12:19 chief 84:1, 84:3, 84:9 choice 98:18 chris 15:7, 85:3, 88:13, 88:14, 88:19, 91:15 christian 12:13, 12:20, 13:13 christopher 3:13, 156:22 church 10:21, 12:1,</p>
--	--	---	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

168

12:10, 12:12, 13:14, 51:12, 51:14, 58:12, 58:20, 130:2, 130:7, 156:18, 156:20 churches 54:8, 87:17, 87:19, 88:2 cip 99:9, 99:10 circumstance 67:5, 67:8, 67:10 cities 124:15 citizen 52:19 citizens 118:16, 118:17, 118:20 civic 144:19, 146:7 clarence 156:7, 156:8 clarify 6:20, 6:22, 73:18, 147:13 clark 88:15 class 18:10 classes 18:10 clear 49:13 closed 114:13 cloud 19:19 coalition 67:21 code 106:3 colleague 158:9 collect 139:6	collected 139:4, 139:7 collective 126:1 college 11:6, 31:12, 59:9, 59:10 color 83:8, 83:11, 83:20, 83:22, 84:9, 85:14, 85:15, 85:18 com 28:1, 28:11, 30:8, 39:5 come 15:3, 33:10, 37:13, 40:20, 45:16, 67:17, 67:18, 102:9, 121:6 comes 69:15, 141:8 coming 36:18 comment 113:14, 113:16 comments 113:1, 113:5, 113:11 commerce 55:13, 142:20 commercial 145:4, 145:6 commission 32:2, 32:7, 32:10, 32:21, 32:22, 33:19, 69:19, 69:20, 88:9, 88:11, 90:17, 90:18, 161:16 commissioner 88:7, 104:10, 104:20, 104:22, 105:16 commissions 33:7	committee 33:8, 34:2, 34:12, 34:16, 34:19, 35:9, 35:14, 37:9, 37:11, 42:1, 42:5, 42:13, 58:1 committees 37:8 committing 76:19 common 6:1, 6:9 commonwealth 2:18, 161:22 communicate 50:17, 133:16, 143:11 communicated 82:4 communicating 131:14 communication 21:17, 86:11, 109:11, 120:18, 121:1, 121:2, 121:4, 142:1, 143:15 communications 21:21, 86:20, 118:3, 142:2 communities 128:8 community 25:12, 25:15, 48:21, 50:18, 52:2, 52:13, 52:21, 53:7, 54:2, 54:12, 54:15, 54:16, 54:19, 55:10, 56:19, 62:3, 71:18, 74:2, 88:4, 90:3, 94:13, 94:20, 101:18, 102:6, 103:14, 108:3,	112:20, 114:15, 114:20, 121:16, 121:19 community's 70:18 companies 150:16, 150:17, 150:20 company 91:2, 150:22 comparable 62:20 compared 62:18 compares 146:22 competition 123:15 compile 57:5 complaint 93:21, 94:4, 102:1, 102:4 complaints 102:5, 102:14, 102:15, 119:14 complete 160:5 comprehensive 60:17, 141:16, 142:9 comprised 57:14 computer 20:3, 21:3 concentrated 123:10 concern 94:7, 94:8, 95:11, 95:13, 119:2, 121:22 concerned 60:14, 113:10 concerns 43:13, 43:21, 44:10, 62:12, 63:1, 63:10, 83:22, 85:22,
---	---	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

169

86:8, 95:6, 104:8 concluded 159:7 concrete 96:11 conducting 20:13 confer 158:9 conference 54:6, 57:15, 58:6, 58:22, 82:22, 92:20, 126:17 confused 77:4 confusion 79:19 connect 64:22 connection 109:5 consensus 99:4 consequences 73:7 consider 44:2, 47:6, 47:14, 117:5, 149:2 considerable 114:18, 146:16 considered 117:11, 129:7 considering 129:4 consisted 144:13 consistent 116:21 consisting 123:17 constituent 93:21, 94:16, 104:8, 119:13, 149:16, 149:17 constituents 48:21, 49:1,	50:17, 53:9, 93:8, 94:9, 102:6, 106:18, 113:8, 117:2, 119:2, 119:21, 120:5, 121:21 contact 38:16, 87:6 contacted 113:7 contacting 138:16 content 115:22, 120:22 contents 78:11 context 70:8 continue 64:13, 115:10 contract 112:3 contracting 92:6, 92:7 contractor 24:15 contracts 64:18, 64:19, 90:4, 90:7, 90:10, 90:12, 96:16, 96:17, 96:19, 97:2 contributed 37:19, 139:14, 151:19 contribution 138:1, 140:3 contributions 138:17, 138:19, 138:20, 139:4, 139:10, 146:20 contributors 139:19, 155:11 convention 110:14 conversation 6:10, 14:16, 77:14, 77:16,	77:22, 80:22, 116:8, 118:9, 135:14 conversations 5:21, 14:17, 70:8, 115:14, 115:18, 115:20, 115:22, 116:6, 120:22, 125:20, 126:13, 126:19, 155:7, 155:9 copies 22:8 copy 22:10, 30:11, 137:12 cor 105:2, 105:3 core 24:5, 24:7, 24:9, 51:9 corp 156:5 correct 9:8, 10:6, 13:22, 14:3, 21:22, 26:8, 26:16, 28:11, 28:15, 30:6, 30:10, 36:19, 38:3, 38:4, 40:2, 41:6, 42:3, 44:19, 56:12, 57:16, 72:22, 73:13, 77:3, 78:16, 85:1, 85:7, 85:20, 86:16, 88:3, 101:5, 102:2, 105:8, 112:21, 127:15, 138:2, 142:21, 143:9, 150:7, 151:17, 151:18, 155:18, 155:19, 158:7, 160:5, 161:5 corrections 160:6	correctly 117:16 correspondence 83:19, 86:6, 108:18, 153:14 cost 82:6, 82:9 costly 123:16, 124:2, 124:10 costs 103:8 could 13:3, 34:4, 34:13, 43:10, 50:9, 67:10, 85:6, 104:2, 106:4, 127:8, 132:5, 134:4 council's 45:6, 49:16 councilman 45:2 councilwoman 138:12, 138:15 counsel 5:6, 118:4, 132:21, 133:10, 161:10 counterparts 62:20 couple 11:10, 17:14, 34:4, 40:18 course 49:8, 70:19, 87:15, 135:8, 152:14, 153:22 court 1:1, 5:22, 6:3, 6:12, 46:12, 50:12 courthouse 2:6, 3:16 courtney 11:20 cover 52:15
---	---	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

170

<p>create 20:16, 20:19, 20:20 created 75:21 crime 62:3 criminal 32:13 criticisms 44:4 critiques 44:2 crr 1:22, 2:18, 161:2 current 59:6, 59:21, 96:5, 117:7, 124:18, 125:20, 142:3 currently 10:1, 12:14, 16:6 cycle 36:7</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>danielle 3:4 data 95:2, 95:15, 96:16, 117:1 date 18:2, 45:13, 131:20, 160:11 dated 86:16, 138:14 dates 157:18 dave 78:15, 112:4, 112:13, 112:21, 113:19, 145:9, 145:10, 145:11 davenport 145:12, 151:6, 151:7, 151:8,</p>	<p>151:13, 154:2, 154:3, 154:11, 154:18, 154:19, 155:5 day 133:21, 137:22, 161:14 dc 3:8 deadline 131:17 dealing 35:2, 63:10 debundling 96:17, 97:2 december 56:20 decide 8:15, 66:11, 118:13, 128:17, 132:7 decided 82:10, 101:3, 140:2 decision 66:9, 98:21, 100:10, 113:22, 118:17, 128:19, 136:22 decisions 136:19 declining 8:11 deep 8:2 def 4:12, 4:13, 4:14, 4:15, 4:16, 4:17, 4:18, 42:19, 45:19, 75:3, 92:22, 98:1, 104:18 def118-309 4:19 defeat 119:18 defendants 1:10, 3:11,</p>	<p>142:3 define 46:20 definitely 117:5 definition 88:22 degrees 9:21 delceno 156:16 denomination 54:4 department 61:19, 62:21, 69:17, 85:16, 89:8, 89:16, 90:12, 96:1, 96:3, 96:7, 97:4, 97:8, 105:21, 106:1, 106:9 departments 136:1, 136:3, 136:8, 136:13, 136:16 depend 141:18 depended 147:16 depending 52:15, 113:13, 147:22 depends 66:8 deponent 8:6, 14:21, 15:9, 46:13, 59:16, 70:12, 75:7, 75:17, 75:20, 76:2, 76:4, 76:7, 108:20, 159:3, 160:1 deposed 5:15 deposition 1:14, 2:1, 4:9,</p>	<p>8:2, 14:7, 15:1, 15:13, 15:16, 15:22, 158:18, 159:7, 161:3 depositions 5:19, 5:20 deputy 109:8 describe 53:22, 67:19, 146:1 description 43:7, 44:12 destination 63:21, 64:3 detail 61:5 details 35:7, 96:8, 127:21, 128:1 determinations 67:4 determine 69:5 determining 66:2 develop 154:7 developed 145:5, 145:6 developer 90:5, 111:9, 151:12, 153:16, 158:1 developers 150:18, 154:6 development 63:22, 89:18, 136:6, 154:14 devon 155:22 diane 103:20 differed 147:11 difference 49:21 differences 152:1</p>
---	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

171

different 5:21, 11:10, 16:21, 17:11, 40:22, 55:4, 82:2, 103:18, 122:13, 136:1	94:19 disparity 44:15, 44:18, 44:21, 45:4, 45:12, 68:1, 68:11, 70:13, 71:3, 71:8, 71:16, 71:20, 73:13, 79:19, 80:10, 80:14, 80:17, 80:19, 81:3, 81:9, 81:11, 83:9, 84:22, 87:1, 87:18, 88:21, 91:1, 93:9, 93:16, 96:12, 96:13, 100:7, 100:17, 100:20, 111:8, 152:10	22:8, 22:10, 26:6, 26:17, 26:19, 26:22, 27:6, 27:8, 27:9, 27:12, 27:18, 28:8, 28:22, 29:6, 30:7, 30:12, 38:21, 56:15, 81:10, 89:4, 142:1 doing 9:2, 17:22, 25:11, 30:14, 54:9, 65:4, 81:3, 95:20, 108:4 dome 110:11, 110:12, 111:14, 111:21 dominion 9:19, 17:19 dommelen 106:3, 106:5, 136:7 donate 51:18 donated 36:6, 36:9 donation 107:8, 107:12, 157:13, 157:15, 158:5 donations 36:13 done 18:21, 18:22, 34:19, 53:18, 54:2, 54:11, 54:14, 55:9, 71:20, 81:5, 90:3, 97:1, 97:4, 158:10 donna 89:9, 89:10, 91:13, 103:16, 103:17, 103:20, 107:7, 109:12,	109:15 donna's 102:21 donors 150:14, 151:17 doors 23:21, 144:18 down 6:1, 6:4, 6:13, 36:1, 62:11, 71:18, 76:1, 95:10, 127:17, 128:20, 130:12, 130:21 downstream 128:9 dr 57:7, 57:17, 83:7, 108:7, 108:22, 109:12, 109:18 drafting 65:14 dredging 60:22 drew 40:6, 48:10 drive 2:6, 3:16, 20:5 dropbox 19:18 duly 5:4 dunton 155:15 during 12:4, 12:6, 22:15, 25:10, 26:3, 31:19, 32:5, 46:18, 143:18, 145:16, 145:18 duties 11:18, 48:19 dwright 155:15 dyer 26:1, 33:20,
differring 147:22 difficulties 76:13 direct 140:16 direction 66:16, 161:8 directly 11:17, 50:17, 51:1, 71:9 director 39:14, 39:19, 86:20, 89:18, 106:6, 136:5 disagreement 80:9, 80:21 discovery 150:5 discrimination 126:21, 128:5, 128:10 discuss 8:15, 8:18, 73:13, 84:22, 91:5, 133:13, 135:7 discussed 78:12, 91:8, 92:2, 96:10, 125:16, 125:19, 126:12 discussing 126:2 discussion 43:4, 77:20, 81:17, 90:1, 91:8 disparate 63:1 disparities 63:17, 71:10,	disproportionate 128:11 district 1:1, 1:2, 5:14, 9:9, 9:12, 9:13, 47:11, 47:20, 47:21, 48:4, 48:10, 48:11, 61:6, 122:10, 123:9, 123:17, 124:3, 124:16, 124:19, 128:21, 134:15, 148:21, 148:22 diverse 47:22 division 1:3 doctorate 10:1, 10:4 document 20:16, 20:19, 20:22, 140:20, 141:5, 141:12 documents 15:15, 15:18, 16:2, 19:8, 19:21, 20:6,		

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

172

34:6, 34:7, 34:15, 41:11, 45:2, 126:7, 128:20, 130:8, 130:18, 131:6, 132:14, 133:11, 133:14, 133:17, 134:4, 142:15 dyer's 48:17, 129:11	either 13:1, 37:15, 85:15, 86:7, 90:15, 117:16, 120:9, 125:10 elected 35:17, 39:10, 39:16, 39:17, 119:7, 149:6, 149:9, 150:15 election 33:11, 33:12, 36:7, 36:11, 36:18, 37:22, 116:16, 142:4, 157:17 elections 36:15, 37:5, 119:6, 123:10, 124:16, 131:18 electoral 118:14, 118:22, 119:20, 121:10, 121:17, 122:2, 123:1, 125:10, 125:21, 126:14 else 15:21, 21:10, 34:2, 56:1, 58:21, 60:3, 72:16, 77:19, 101:6, 101:9, 121:9, 126:14, 132:22, 140:8 email 4:13, 4:14, 4:15, 4:16, 4:17, 4:18, 16:11, 16:15, 16:18, 17:3, 20:7, 21:20, 26:9, 27:20, 27:22, 28:6, 28:10, 30:9, 38:17, 38:18, 38:21, 39:3, 56:17, 56:18, 57:2, 57:5,	57:9, 57:11, 57:14, 66:21, 75:12, 76:15, 77:11, 77:12, 78:14, 79:18, 81:8, 83:19, 84:8, 86:7, 86:15, 87:22, 92:18, 93:2, 94:11, 98:3, 104:19, 121:2, 130:14, 133:17, 137:21, 138:13, 140:10, 140:15, 153:13 emails 18:14, 18:15, 20:15, 26:15, 28:2, 50:19, 54:3, 57:4, 104:16 employed 161:10 employment 17:17, 18:12, 95:3, 95:4, 95:7, 96:2, 96:6, 98:9 empowering 60:2, 144:15, 144:16 encompasses 63:21 encourage 40:11, 95:21, 132:12 encouraged 135:18 end 18:1, 18:2, 39:18, 75:4, 111:7, 141:9 endeavor 146:19 ended 107:21, 109:17 endorse 35:20, 132:14,	132:16, 136:22, 143:8, 155:3, 155:6 endorsed 37:4, 37:6, 133:2, 142:13, 142:19, 143:14 endorsement 142:22, 143:12 endorsements 143:11, 143:17 enforced 50:12 engage 48:21, 54:9, 74:1 engagement 52:19, 73:17, 107:21, 109:18, 109:21, 114:15 enough 23:8, 24:1, 25:3, 32:9, 48:7, 56:4, 100:16, 124:8, 127:22 ensuring 61:21, 62:1, 103:7 entails 135:19 enterprises 156:14 entire 128:2, 146:5 entities 85:13 entrepreneurial 19:3 entrepreneurs 64:20 entrepreneurship 79:10 equitable 95:19 errata 158:21, 160:7 escaping 145:12
E			
each 6:10, 6:11, 8:7, 8:10, 35:16, 37:18, 40:18 earlier 39:20, 46:14, 96:10, 103:16, 105:10, 105:13, 105:14, 110:22, 121:5, 125:1, 125:6, 145:22 easier 123:16, 124:2, 124:10, 137:11 eastern 1:2 eat 115:7 economic 63:21, 89:18, 136:6 eddie 140:7 educate 135:18, 136:17 education 60:1, 60:6, 64:12, 79:5, 128:12, 144:14 educational 9:16, 64:19, 144:1 effects 128:9 efforts 74:1			

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

173

<p>especially 79:6, 79:19</p> <p>esquire 3:4, 3:13, 3:14</p> <p>estaris 87:11</p> <p>et 1:9, 3:12, 17:10</p> <p>etched 127:11</p> <p>even 115:18, 116:10, 145:8, 153:8</p> <p>event 37:13, 78:11, 84:14, 84:17, 84:19, 86:1, 86:4, 86:8, 91:1, 102:8, 103:8, 109:9, 143:10, 145:20</p> <p>events 37:14, 40:17, 40:18, 55:12, 76:20, 77:9, 78:2, 78:5, 78:9, 79:3, 79:12, 79:20, 80:3, 109:10, 133:7</p> <p>ever 5:15, 21:4, 32:17, 32:21, 35:20, 36:3, 36:6, 36:9, 36:14, 46:7, 57:17, 73:3, 107:5, 115:13, 130:20, 131:11, 148:14, 149:2, 149:6, 149:9, 153:2</p> <p>every 41:2, 41:3</p> <p>everybody 34:3</p> <p>everybody's 34:9</p>	<p>everyone 159:1</p> <p>exact 18:2, 48:3</p> <p>exactly 105:14</p> <p>examination 4:2, 5:6</p> <p>examined 5:4, 160:3</p> <p>example 95:2</p> <p>except 19:10</p> <p>exchange 75:6, 75:8, 75:10, 75:11, 76:15, 77:8, 77:12, 81:8</p> <p>executed 131:4</p> <p>executive 11:1, 11:15</p> <p>exhibit 4:9, 4:10, 4:11, 4:12, 4:13, 4:14, 4:15, 4:16, 4:17, 4:18, 4:19, 4:20, 4:21, 41:12, 41:14, 56:8, 56:9, 71:22, 72:1, 74:20, 74:21, 81:6, 83:16, 83:17, 86:14, 92:14, 92:15, 97:10, 97:11, 104:13, 104:14, 106:20, 108:12, 108:13, 110:7, 110:8, 110:11, 137:9, 138:8, 138:9, 149:21, 150:2</p> <p>exorbitant 102:7</p> <p>expand 64:13</p>	<p>expenditures 46:5</p> <p>expensive 146:9</p> <p>experience 44:6, 90:11, 124:4, 124:6, 124:9, 124:11, 127:4</p> <p>experienced 44:7</p> <p>expertise 47:2</p> <p>expires 161:16</p> <p>explain 73:18, 142:22</p> <p>explaining 80:22</p> <p>exploring 45:4</p> <p>extensive 76:19</p> <p>extent 8:3, 47:1, 50:6, 115:19, 118:2, 122:19</p> <p>extra 122:8, 146:18</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>face 63:16</p> <p>facebook 22:5, 53:1, 145:3, 145:4</p> <p>faces 53:14, 63:18</p> <p>facility 81:18, 81:21, 82:2</p> <p>facing 60:20, 63:5</p> <p>fact 81:2, 93:11, 107:12</p> <p>factored 93:22</p>	<p>faculty 129:21</p> <p>fair 23:8, 24:1, 25:3, 32:9, 44:4, 44:8, 48:7, 50:3, 56:4, 95:19, 103:8, 119:17, 119:20, 124:8, 127:22</p> <p>falls 97:7</p> <p>familiar 43:17, 56:11, 70:15, 70:17, 70:22, 71:2, 152:4</p> <p>family 146:16, 155:17, 156:1, 156:3</p> <p>far 62:1, 62:21, 108:15, 112:17</p> <p>favor 111:3, 111:5</p> <p>february 41:19, 74:16, 125:8, 125:10, 125:13, 125:17</p> <p>federal 64:18</p> <p>feedback 45:3, 127:13</p> <p>festival 102:1, 107:8, 107:13, 107:17, 107:22, 109:2, 109:19, 110:1</p> <p>few 5:17, 12:22, 13:7, 13:9, 18:4, 19:2, 33:9, 34:21, 42:19, 60:4, 70:13, 91:22, 136:7</p> <p>fighting 80:14, 80:16,</p>
--	--	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

174

80:18, 81:2 figuring 29:22, 65:20, 78:6 filing 22:12 filipino 87:9 filled 114:2 final 67:6, 100:7 financial 79:8, 161:12 financially 64:21 find 29:8, 64:21, 113:5, 113:16, 123:14, 137:16 finding 27:12, 60:17 findings 71:19 finish 6:11, 6:15, 6:17 firefighters 144:2 firm 18:21, 88:17, 114:11, 114:13 firms 44:3 first 5:4, 5:20, 26:18, 41:3, 43:3, 57:20, 69:14, 78:13, 78:16, 79:6, 79:12, 79:15, 83:21, 86:6, 97:14, 97:16, 106:21, 120:13, 135:6, 137:18, 145:20, 151:1, 157:8 fiscal 98:4	five 16:20, 52:4, 67:18, 113:14, 115:6, 152:17, 152:18, 152:21, 153:1, 153:7, 153:9, 153:11 flooding 60:1, 60:15, 60:20, 60:22, 61:3, 61:12, 63:16, 67:20, 67:21, 68:11 flyer 147:12, 147:15 flyers 26:6 focus 76:9, 79:20, 92:5, 101:1, 101:8, 137:14 focused 32:11, 42:6, 60:7, 79:8, 91:2, 92:6, 98:17 focuses 79:9 focusing 79:4, 96:17 folks 81:20, 89:4 follow 86:3, 96:12, 109:12 followed 109:4 following 45:2, 111:8, 140:17 follows 5:5 food 34:22, 35:2, 35:5 foregoing 160:4, 161:3, 161:4	form 21:17, 27:1, 28:12, 38:20, 45:9, 50:5, 119:9, 119:22, 142:14 formal 83:14 format 52:20, 90:22 former 74:13, 76:16, 77:12, 80:8, 82:2, 126:10, 131:7, 142:3, 157:6 forms 145:1 forth 26:9, 74:17, 76:11, 152:5 forum 22:9, 71:18, 73:12, 76:17, 80:10, 80:14, 81:9, 81:11, 82:13, 82:21, 83:3, 83:9, 87:1, 87:18, 88:21, 89:19, 90:16, 91:1 forums 52:11, 144:19 forward 44:14, 45:4, 69:6, 69:13, 71:14, 72:6, 72:8, 77:10, 78:9, 111:12, 112:17, 117:9, 117:11, 127:10, 129:18, 131:19 found 13:18, 26:13, 29:9, 40:10 founding 11:17, 11:19 four 67:17	franklin 154:4 fraternal 144:3 frequently 153:12 friday 41:3, 138:18 friend 51:10, 148:16, 148:18 friends 146:17 front 99:12 frustration 77:2 full 17:8, 143:19 full-time 18:20, 101:1 fully 99:9 function 25:11, 25:12, 25:15, 151:15 fund 99:9 funders 155:4 funding 100:5 fundraisers 133:5 fundraising 146:13, 146:21 further 75:8, 158:14 <hr/> G <hr/> gary 58:10 gave 131:18, 133:20, 134:3, 134:13, 137:4, 138:3, 158:5 geared 79:22
---	--	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

175

general 117:20 generally 42:16, 110:13, 114:10, 135:16, 139:19 generate 146:12 generic 38:17 gentleman 89:21, 106:22, 150:21 geographically 123:10 george 145:14 georgia 1:6, 3:3 getting 44:20, 63:6, 118:2, 147:6 give 5:17, 17:8, 43:9, 84:6, 123:10, 138:5, 158:20 given 92:5, 122:6, 146:20, 147:15, 160:6, 161:6 gives 64:16 giving 107:12, 157:11 gmail 17:10, 17:12, 17:14, 20:1, 28:16, 29:11, 30:8, 39:5, 141:17 go 7:8, 17:5, 27:18, 29:11, 30:14, 45:21, 46:19, 59:17, 59:19, 65:10, 66:21, 67:3,	69:13, 71:5, 97:17, 108:16, 117:18, 117:22, 131:19, 137:9, 137:12, 140:14, 146:6, 158:19 goal 46:3, 46:8, 67:22, 68:12, 72:18, 72:22, 73:4, 73:9, 79:5, 92:9, 95:18, 111:19, 111:20, 112:18 goals 63:19, 71:17, 97:5 goes 14:15, 61:11, 67:7, 69:14 going 5:17, 10:12, 14:8, 41:12, 45:8, 56:8, 71:18, 75:12, 77:10, 83:16, 89:3, 91:4, 93:18, 97:17, 98:16, 104:13, 104:18, 109:8, 114:8, 114:18, 115:11, 123:6, 127:10, 129:12, 137:11 gone 28:5, 37:7 good 5:8, 5:9, 53:3, 59:13, 79:14, 115:4, 146:13 gosh 87:10, 134:19 gouging 102:2, 102:19 government 64:17 graduate 11:6	grassroots 123:17 great 30:20, 60:1, 63:22, 78:22, 86:21, 91:17, 144:10, 144:14 greetings 138:15 grew 9:5 ground 5:18 group 55:16, 87:21, 154:5 groups 46:21, 46:22, 82:20, 86:22, 95:21, 123:10 grow 9:4, 64:13 grown 46:19 guard 83:8, 83:12, 83:20, 83:22, 84:10, 85:14, 85:15, 85:18 guess 9:14, 37:18, 74:10, 99:3, 115:5, 123:21	hansen 74:14, 76:16, 77:13, 80:9, 82:3, 112:4, 112:13, 112:21, 113:20 hansen's 75:12 happen 62:10, 62:11 happened 52:16 happening 107:21, 109:17 hard 6:3, 6:12, 22:10, 30:11, 119:7 harrison 42:11 head 6:2, 17:6, 36:1, 95:10 heads 55:18 health 105:21, 106:2 hear 113:7, 148:14 heard 113:9, 118:9, 119:16, 120:13, 121:5, 121:15, 130:11, 134:14, 147:14 hearing 147:17, 147:19, 148:4, 148:9 held 2:1, 52:2, 82:17, 121:20 help 45:20, 106:4, 106:17, 122:15, 136:10, 140:19, 140:21, 141:1 helped 151:16
H			
	halfway 138:13 halls 52:12 hampton 11:11, 30:17, 87:14, 143:20 hand 161:14 handing 147:10 handouts 26:6		

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

176

helps 65:13, 104:8 here 5:22, 46:12, 57:4, 57:7, 78:12, 118:5, 137:20, 139:18 hereby 160:2, 161:4 hereunto 161:13 herself 135:10 hey 66:5 hhh2 155:13 high 9:18 highly 120:3 hill 23:18, 86:15, 86:18, 86:19 himself 106:12, 156:10 hire 100:22 hiring 100:20 hispanic 55:11, 55:13, 55:17, 55:18, 56:2 historically 12:1, 13:14, 47:6, 47:15 history 70:20, 126:21, 127:4, 128:2 hoffler 156:13 hold 39:11, 52:5, 55:3, 81:10, 81:13 holding 81:16	holloway 1:5, 3:2 home 22:11, 22:12, 22:14, 30:12 homeownership 128:12 hope 13:1 host 37:7, 37:9, 37:10, 64:15 hotel 102:20, 103:2 hotels 102:2, 105:6 hour 43:4, 59:14 housing 154:7 hrbor 87:13 huge 62:8 human 88:7, 88:10, 144:15 hybrid 122:6 <hr/> <p style="text-align: center;">I</p> <hr/> icloud 17:13, 19:6, 19:10, 30:4 idea 76:16 identified 71:10 identify 120:20 identifying 27:6, 27:8, 114:6 ignite 78:13 imagine 7:13, 26:3, 30:21, 155:17	implementation 100:6 important 83:14, 116:13, 136:15 improve 61:16, 122:15 improvement 33:8, 33:15, 33:17 in-person 21:21, 149:18 incident 147:8, 147:14 incidents 112:19 include 22:20, 46:20, 62:22, 100:11, 148:6 included 94:3, 98:22, 99:22, 100:7, 100:14, 148:2, 148:5 inclusion 95:3 increase 71:16, 92:7, 92:8, 100:5, 102:7 increased 111:20 increasing 67:22, 68:11, 79:20 incumbents 123:14 indeed 13:19 independent 24:15 indian 9:18 indicate 138:15 indicated 107:7	indicates 46:2, 98:8, 105:6, 106:11 individual 8:10 individually 76:20 individuals 57:10, 91:12 industry 43:4 information 13:18, 28:4, 28:5, 30:19, 38:13, 38:18, 40:21, 44:22, 54:7, 57:8, 64:17, 64:20, 69:9, 91:7, 92:4, 95:5, 97:21, 99:2, 99:11, 134:3, 141:8 infrastructure 60:10, 61:12, 61:13, 99:14 initial 104:18 initially 81:15, 104:1 insofar 5:21 instagram 22:6, 22:7 instructions 5:18 instructs 7:7 insulated 123:15 integration 127:18 intent 45:3 interaction 114:14 interactions 73:21, 74:13
---	--	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

177

interdenominatio- nal 54:5, 57:15, 58:6, 58:21, 82:22, 87:21, 90:16, 92:20, 126:16 interest 113:19, 113:22, 161:11 interested 65:19, 135:10, 135:17 internal 155:7 international 54:4, 87:20, 92:19 intricacies 70:22 introduce 155:4 introduced 25:9, 151:5, 154:10, 155:10, 156:9, 156:10 invitation 75:20, 78:15, 143:2 invite 82:21, 87:17 invited 38:8, 88:5, 88:6, 88:8 inviting 40:20, 87:1 invoke 8:5, 115:21, 116:1 invoked 70:11 involve 77:19, 106:12 involved 27:5, 27:7, 35:9, 35:10, 40:8, 49:2, 51:21, 56:2,	59:4, 71:7, 89:12, 90:10, 105:3, 114:21, 136:19 involvement 35:3, 114:19 issue 65:2, 77:17, 80:15, 85:9, 94:16, 102:19, 103:13, 103:22, 120:14, 121:6, 125:9, 126:6, 126:9 issues 61:9, 62:2, 62:5, 62:9, 62:16, 62:22, 117:20 item 43:3, 45:6 items 43:8 itself 80:21, 99:1 <hr/> J <hr/> j3h3 155:13 jack 130:5 jackson 83:7 james 83:7 january 16:6, 43:1, 161:16 jerrauld 31:19, 31:21 jessica 70:12 jim 21:8, 133:10 job 1:20, 11:14, 40:19, 48:19, 64:22, 135:19,	146:18 jobs 12:3 john 84:8, 120:19, 121:11, 147:21, 154:17 johnson 44:13 johnston 154:4, 154:9, 154:10 join 12:19, 34:16, 38:5, 67:20 jones 14:5, 31:19, 31:21 joseph 3:14, 149:14 julian 55:20, 55:21 julie 86:15, 86:18, 86:19 june 79:2 justice 32:13, 96:1 juvenile 32:11, 32:12, 32:21 <hr/> K <hr/> kaine's 31:15 kane 41:10, 72:15 keep 21:1, 22:10, 22:11, 46:11, 115:11 kept 30:18 kerwin 24:16, 24:21, 25:5, 25:17, 25:18	key 89:15, 91:13 kind 5:18, 18:14, 19:3, 19:12, 22:3, 24:5, 32:10, 52:11, 63:15, 63:18, 77:4, 79:12, 90:7, 135:12, 158:22 kinds 33:22, 34:18, 61:9, 64:14, 152:7 klein 11:12 knocked 23:21 knocking 144:18 knowledge 46:7, 47:3, 73:2, 86:5, 152:8 known 25:6 kurt 3:14 <hr/> L <hr/> labor 137:22 lady 23:19 landfills 99:16 lang 3:4, 4:3, 5:7, 41:12, 56:8, 59:17, 59:19, 71:22, 74:20, 75:3, 75:11, 81:7, 83:16, 92:14, 97:10, 97:14, 97:17, 104:13, 108:12, 110:7, 115:2,
---	--	--	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

178

<p>115:4, 115:7, 115:12, 137:15, 137:19, 138:8, 149:21, 150:1, 150:6, 150:12, 158:8, 158:13 language 111:11, 111:14 laptop 20:11, 20:18, 20:21, 26:14, 29:5, 30:9 large 107:8, 107:12, 124:14, 146:2 larger 96:19 largest 123:19 last 23:6, 23:7, 35:15, 55:22, 87:11, 92:18, 102:21, 103:19, 125:5, 145:12 latasha 1:5, 3:2 later 21:1, 44:12, 105:13, 105:14, 140:14 latino 46:22, 47:15, 55:10, 149:5 lavera 89:6, 91:13 lawsuit 96:1 lead 114:3 leader 56:19, 90:3, 106:8 leaders 88:4 leadership 53:19, 54:3, 59:6, 59:7</p>	<p>leading 25:13 league 144:19, 145:20 leagues 146:7 least 16:20, 75:14, 96:15, 134:19 leave 12:7, 12:16, 39:9 led 12:7 lee 149:14 leeper 3:22 left 10:19, 13:3, 13:5, 103:6 legal 3:5, 49:14, 50:6, 50:13, 118:3 legislative 8:5, 8:18, 49:11, 49:18, 70:10, 115:21 legislatively 8:9, 8:16, 117:19 legs 59:15 lengthy 75:11, 81:8 lens 63:14 less 77:3, 123:15, 123:16, 124:2, 124:10 let's 22:21, 62:1, 67:16, 68:10, 75:14, 99:17, 115:11, 133:10, 134:22, 137:11,</p>	<p>141:21, 152:14 letter 30:17, 43:18, 143:13 letters 144:5 level 60:21, 95:6, 95:8, 96:5 levels 62:19 lgbtq 87:13, 87:15 liaisons 41:5 licensing 35:4 life 10:18 light 79:19 liked 80:16 limited 144:13 line 56:19, 112:16 lines 22:13, 63:2 list 57:4, 57:6, 57:10, 57:14, 86:22, 143:19, 150:12 listed 32:6, 57:7, 72:10, 72:16, 91:12, 158:4 listing 88:2 lists 41:22, 43:4 litigation 51:21 little 6:11, 63:14, 73:18, 146:1, 158:20</p>	<p>live 9:9 lived 7:20, 46:14, 149:1 living 8:21, 9:11, 135:2 local 12:10, 13:18, 60:2, 64:6, 64:11, 64:17, 144:16 location 81:9, 147:9 locations 55:4 logistical 76:12 logistics 74:10, 78:15 long 7:20, 9:11, 15:3, 18:22, 31:2, 31:3, 57:4, 126:21 long-term 122:16 longer 90:20 look 15:15, 15:18, 17:1, 17:2, 21:1, 28:21, 29:5, 30:4, 30:11, 41:22, 42:18, 86:14, 92:17, 106:10, 108:17, 114:8, 120:12, 141:21, 141:22 looked 28:3, 28:11, 28:16, 30:7, 38:13, 99:15 looking 17:7, 27:18, 83:21, 97:22,</p>
--	---	--	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

179

105:10 looks 33:20 lose 124:19 lot 23:20, 35:10, 62:8, 91:20 loud 75:22 lucky 146:12	78:16, 96:19, 107:7, 136:19 malbon 154:17 management 9:22 manager 23:11, 49:8, 63:7, 74:13, 74:14, 76:16, 77:13, 80:8, 82:3, 109:9, 112:4, 112:13, 112:20, 113:19, 114:6 manager's 104:7 many 16:18, 31:16, 37:17, 52:2, 53:6, 55:6, 67:15, 78:18, 91:18, 104:16, 128:7, 134:18, 146:6, 146:7, 152:12, 152:15, 153:4 march 58:4, 71:4, 71:5, 129:2 marches 71:3 mark 41:12, 56:8, 71:22, 74:20, 83:16, 92:14, 97:10, 104:13, 108:12, 110:7, 138:8, 149:21 marked 41:14, 42:18, 56:9, 72:1, 74:21, 83:17, 92:15, 97:11, 104:14, 108:13, 110:8, 138:9, 150:2 market 146:9	marvin 106:22, 107:3, 107:5, 107:7 master's 9:21 materials 26:4, 26:12, 41:16, 41:20 math 9:2 matter 30:2, 30:3, 82:6 matters 32:12, 32:21 maybe 13:10, 25:1, 39:14, 39:17, 55:8, 58:4, 59:15, 62:13, 74:10, 75:15, 81:18, 105:20, 130:22, 134:20, 137:17 mayor 26:1, 33:20, 34:6, 34:7, 34:15, 43:18, 48:17, 66:11, 85:4, 126:7, 128:20, 129:11, 130:8, 130:12, 130:18, 131:6, 132:14, 133:11, 133:14, 133:16, 134:4, 142:15, 157:6, 157:16 mayoral 151:9 mbc 4:10, 42:8, 42:10, 42:13, 42:17, 44:13, 44:17 mbc's 44:15 mcbath 11:20	mccollum 58:10, 58:11, 58:15 mclesky 154:12, 154:13 mean 37:10, 44:17, 56:5, 60:21, 63:21, 64:5, 66:13, 79:15, 96:18, 99:10, 122:21, 127:2, 128:1, 128:10 means 136:18 meant 81:1 measures 60:11, 68:6, 68:13 media 22:1, 22:3, 24:12, 24:19, 24:20, 28:22, 42:6, 42:7, 42:9, 50:18, 53:1, 144:19, 146:9 mediation 11:11, 18:20, 19:1, 19:17, 40:5 mediator 11:12 meet 15:4, 15:6, 35:14, 35:15, 41:1, 42:13, 46:7, 49:1, 51:11, 58:11, 73:4, 107:5, 130:18, 131:1, 133:19, 134:16, 134:21, 136:3, 136:4, 140:1, 145:10, 145:18, 146:6, 151:13, 151:16, 154:1,
M			
macmillan 103:17 made 44:13, 99:9, 111:17, 113:1, 128:19 mainly 40:17 maintained 61:13 major 63:19 majority 47:21, 48:1, 48:8, 48:11, 80:5, 119:18 make 63:20, 65:5, 66:15, 68:4, 95:18, 96:20, 98:20, 118:17, 119:7, 120:7, 121:7, 136:21, 158:19 makes 65:18, 66:9, 67:4, 69:3 makeup 47:22, 48:4 making 42:7, 60:8, 61:12, 61:13, 62:19, 64:11, 65:21, 74:11,			

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

180

154:8, 154:15, 157:7 meeting 4:10, 14:20, 22:9, 42:17, 43:1, 58:1, 94:14, 102:17, 103:1, 103:5, 103:6, 126:3, 130:16, 130:21, 135:6, 136:1, 136:5, 140:1, 143:3, 143:5, 145:21, 152:16 meeting-rsvp 56:20 meetings 15:12, 34:8, 35:17, 42:13, 48:22, 50:18, 50:20, 52:2, 52:6, 52:13, 52:22, 53:4, 53:7, 53:10, 54:3, 54:16, 54:17, 54:19, 55:3, 55:6, 55:12, 121:20, 136:11, 142:14, 144:20 member 5:13, 12:18, 16:10, 34:19, 37:9, 38:11, 48:20, 50:22, 51:21, 52:3, 53:18, 66:14, 67:13, 68:16, 70:4, 72:7, 72:15, 84:20, 100:6, 101:1, 101:10, 103:3, 120:19, 122:22, 132:21, 133:10, 142:15, 155:18, 156:1 members 21:5, 21:18,	24:7, 25:20, 26:10, 57:14, 66:22, 72:9, 92:19, 108:2, 115:20, 125:21, 126:10, 133:4, 142:4, 142:16, 143:4, 143:16 memorial 68:5, 68:12 memorialize 68:4 memorialized 113:11 memories 127:11 mention 148:16 mentioned 18:14, 19:6, 78:6, 89:20, 103:16, 120:17, 130:16, 132:12, 145:22 mentioning 108:5 message 21:4, 21:7, 21:20 messages 21:8, 29:3, 113:12 messaging 21:15 met 14:11, 15:2, 25:10, 25:11, 25:13, 41:2, 57:17, 57:20, 57:21, 57:22, 58:5, 58:17, 90:15, 134:19, 136:6, 145:16, 145:20, 149:17, 150:21, 151:1, 151:14, 152:13, 152:21, 153:20, 154:9, 154:16,	154:18, 156:15, 157:4, 157:8 michael 21:14, 37:8, 153:19 might 8:8, 8:16, 27:8, 28:22, 62:6, 62:12, 69:21, 81:21, 82:2, 84:11, 86:8, 93:16 mike 153:20 miles 156:16 mind 33:10, 67:17, 67:18, 119:11 mine 127:11, 148:16 minister 129:21, 130:4, 130:6 ministers 54:5, 57:15, 58:6, 58:22, 82:22, 87:21, 90:16, 92:20, 126:17 ministry 54:4 minnesota 10:8 minns 145:14 minor 62:10, 62:16 minorities 95:17, 119:7 minority 33:3, 33:14, 38:5, 38:9, 38:12, 39:6, 39:12, 40:4, 40:6, 40:12, 40:16, 41:6, 41:18, 41:20,	42:1, 42:4, 42:12, 43:13, 43:21, 44:3, 46:1, 46:4, 46:18, 46:20, 46:21, 46:22, 47:21, 48:1, 48:11, 70:18, 73:17, 74:1, 79:21, 94:20, 95:3, 95:7, 95:9, 96:6, 111:10, 115:15, 116:6, 116:12, 116:17, 116:21, 121:16, 121:19, 122:16, 128:7, 134:2, 157:9 minority-owned 72:18 minutes 4:10, 42:22, 59:14, 115:6, 158:8 moment 43:9, 59:13, 72:4, 84:6, 124:1, 137:15 money 150:13 monitoring 96:16 montagna 11:12 month 35:16, 41:2, 41:4, 131:20, 134:9, 134:10 months 12:22, 13:7, 13:9 more 18:16, 24:11, 24:15, 24:21, 24:22, 37:1, 40:8, 50:1, 61:3, 63:14, 73:19, 74:9,
--	---	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

181

74:10, 76:21, 77:3, 78:14, 79:16, 82:16, 92:6, 94:15, 98:17, 111:10, 115:3, 132:2, 135:9, 138:5, 139:19, 140:16, 146:1, 152:17, 152:18, 152:21, 153:1, 153:7, 153:9, 153:11 morning 5:8, 5:9 moss 120:19, 121:11, 121:14, 147:21 most 10:18, 99:18, 124:14, 125:11, 125:14, 125:15, 141:7 mostly 7:6 motels 105:7 motion 44:13 move 44:14, 45:4, 69:5, 78:9, 129:18 moved 9:6, 36:1, 95:10 moving 63:13, 69:12, 111:12, 112:17 moy 54:20, 54:21, 87:8 much 10:17, 15:5, 24:15, 51:7, 52:13, 52:14, 52:16, 52:19, 115:3, 118:21, 138:3	municipal 2:7, 3:17 must 75:20, 105:7 myself 91:14, 135:18, 136:17, 146:18 <hr/> N <hr/> naacp 59:4, 102:9, 102:10, 102:14, 102:16, 108:11 name 5:10, 17:8, 23:6, 23:7, 23:19, 23:20, 24:14, 32:3, 32:7, 34:4, 34:10, 37:12, 55:16, 55:20, 55:22, 60:4, 80:9, 80:14, 80:18, 87:11, 88:6, 89:21, 97:21, 102:21, 103:19, 130:5, 140:7, 145:7, 145:9, 145:12, 146:8, 150:22, 151:1, 156:4 named 106:22 names 23:22, 53:13, 53:14, 53:15, 56:3, 94:10 nancy 104:3, 104:5, 106:1, 106:10 nancy's 104:6 naomi 87:10 naomi's 87:11 nature 32:2, 84:11,	86:9, 110:15 nd 79:2 necessary 66:7 need 8:9, 20:20, 64:20, 64:22, 115:8, 115:9, 117:22, 120:12 needed 16:8, 20:16, 77:6, 100:19, 136:12 needs 49:1, 60:9, 97:18 neely 156:7, 156:8, 156:9 negative 81:1 neighborhood 62:14 neighborhoods 47:5, 47:7, 47:14, 47:16, 47:18, 60:1, 60:2, 61:2, 61:8, 61:10, 61:14, 63:22, 144:14 neighbors 62:12, 123:18 neither 161:9 never 81:22, 113:6, 131:4, 155:5, 156:15, 157:4 new 13:16, 63:6, 63:7, 100:21, 114:6, 147:6 news 4:19, 129:13, 129:15 nexsen 88:15	next 69:6, 69:8, 69:12, 91:9, 92:1, 99:8, 100:5, 158:4 non-binding 50:4, 50:10 nonprofit 10:17, 10:20 norfolk 1:3, 11:22 normally 75:9 notarial 161:14 notary 2:18, 161:21 notice 2:17, 128:20, 129:5, 129:9 noticing 102:7 november 48:15, 142:5 number 41:20, 42:20, 43:12, 46:21, 86:14, 133:21, 134:13, 141:22, 150:8, 155:10 nutter 140:7 nw 3:6 <hr/> O <hr/> oath 5:5 object 27:1, 28:12, 45:8, 50:5, 93:18, 119:9, 119:22 objection 47:1, 50:13, 122:17 objections 7:4
---	---	--	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

182

objective 123:21 obstacles 116:20, 146:1 obtained 150:11, 150:12 obviously 47:2, 49:14, 81:2 occurred 14:20, 107:16 oceanfront 62:11 october 138:14 odors 99:18 odu 17:13, 18:16 offensive 113:1, 113:5, 113:8, 113:16 offer 49:14 offered 13:20, 140:22, 141:1 offers 79:11 office 3:15, 22:12, 22:14, 30:12, 31:19, 32:17, 36:22, 41:17, 65:16, 69:9, 84:3, 84:9, 84:16, 85:3, 85:6, 85:11, 85:16, 104:7, 104:10, 129:5, 129:6, 130:19, 132:8, 134:22, 135:4, 138:18 officer 161:3 officers 61:21, 62:17 offices 2:2	official 19:7, 26:20, 84:19, 84:22 officials 73:16, 73:22, 133:14, 150:15 often 35:14, 41:1, 42:15 oh 17:1, 78:22 old 8:22, 9:19, 17:19, 110:14, 111:19 olivia 155:17 omitted 45:9 once 10:18, 69:14, 99:2, 114:13, 131:1, 138:5 one 2:7, 3:17, 9:21, 9:22, 17:12, 18:10, 20:20, 28:6, 32:6, 32:20, 33:8, 37:18, 38:10, 40:9, 45:10, 63:19, 66:22, 67:20, 67:21, 68:3, 68:5, 68:17, 71:17, 75:15, 78:17, 78:20, 79:1, 79:6, 79:8, 79:9, 79:15, 79:16, 82:20, 85:12, 85:13, 85:17, 94:15, 99:20, 100:5, 100:22, 120:9, 125:5, 125:6, 125:15, 129:20, 133:11, 133:21, 135:8,	137:15, 140:17, 147:10, 148:20, 153:20 one-on-one 50:19 ones 16:21, 33:10, 34:21, 35:12, 46:11, 136:8, 139:13 ongoing 110:16 online 10:9, 10:10 only 5:21, 7:13, 8:1, 12:22, 27:14, 28:7, 28:10, 30:6, 72:7, 75:12, 86:11, 121:13, 122:10, 123:6, 147:4 open 43:17, 52:11, 129:12 opening 83:14 operations 97:6 opinion 49:14, 84:15, 118:16, 123:22, 152:1 opinions 50:7, 50:14 opioids 144:15 opportunities 40:10, 43:14, 43:22, 44:3, 109:1 opportunity 12:9, 13:16, 13:20, 61:20 options 120:9 order 118:12, 144:3	ordinance 34:22, 35:2, 49:21, 65:3, 65:8, 65:14, 68:22, 69:2, 69:12, 69:22, 70:5 ordinances 49:19, 50:1, 68:15 ordinarily 6:1, 52:10 org 4:21, 150:13 organization 144:6, 145:8 organizations 40:22 organized 25:14 organizes 54:18 originate 102:10 originated 102:12 other 6:9, 6:10, 12:3, 15:12, 15:21, 17:17, 17:18, 18:12, 19:3, 19:18, 21:15, 21:16, 23:13, 25:20, 28:2, 32:20, 33:6, 33:7, 34:7, 35:8, 35:12, 36:14, 37:21, 51:22, 52:7, 63:15, 70:3, 71:17, 72:9, 88:4, 89:3, 89:19, 94:18, 96:9, 96:20, 115:9, 115:20, 130:4, 132:11, 133:4, 133:13, 133:14,
---	--	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

183

136:7, 142:15, 143:17, 146:22, 147:2, 149:8, 151:10, 151:16, 157:10, 157:11 other's 6:11 others 33:9, 47:9, 61:3, 67:3, 119:11, 133:2 otherwise 86:7, 161:12 out 11:18, 13:21, 14:4, 29:22, 37:13, 40:21, 45:17, 53:19, 54:7, 54:11, 54:14, 55:10, 57:7, 63:14, 64:21, 65:20, 70:14, 75:22, 78:6, 78:14, 82:21, 85:5, 87:22, 88:8, 88:20, 89:1, 94:13, 99:3, 102:16, 102:20, 102:22, 103:21, 104:1, 104:3, 104:19, 104:20, 107:19, 108:3, 108:22, 114:11, 117:21, 130:8, 130:13, 133:2, 134:12, 137:12, 139:8, 142:8, 143:2, 143:15, 146:5, 146:8, 147:10, 147:15, 150:10, 155:5, 157:3 outcome 103:9, 122:13, 161:12 outcomes 128:12	outreach 39:14, 39:19, 40:19 outside 20:6, 35:19, 36:15, 118:4 over 6:10, 15:15, 46:11, 48:16, 52:4, 70:18, 71:18, 79:15, 91:6, 91:19, 122:8, 152:14 overall 44:9 own 36:4, 40:5, 74:7, 147:3 owners 96:21 <hr/> P <hr/> packet 105:15 page 4:2, 4:9, 41:22, 75:1, 75:9, 75:15, 76:6, 76:9, 83:21, 97:13, 97:14, 97:16, 98:7, 99:8, 105:10, 106:11, 106:21, 137:14, 137:18, 140:17, 158:5 pages 1:21, 42:19, 75:1, 92:18, 140:14 paid 22:21, 23:2, 24:17, 144:21, 145:1 panel 89:22, 91:8, 91:11, 92:2 panned 107:19	paper 22:8 paragraph 107:9 paralegal 11:13 parity 61:22, 62:17, 62:18 park 61:5, 101:11 parking 101:11 parkway 12:13, 12:20, 13:6, 13:13, 13:17, 51:13, 51:15, 130:1, 130:3, 156:19 parlance 6:2 part 24:5, 37:7, 38:8, 51:9, 74:10, 76:17, 89:16, 119:5 participate 83:9, 83:12, 84:1, 84:10, 85:14, 85:19, 96:21 participated 34:20, 122:7 participation 54:9, 72:18, 95:21, 111:22 particular 8:4, 19:16, 54:12, 55:9, 97:13, 97:20, 99:20, 109:9 particularly 53:18, 65:19, 83:20 parties 161:11 pass 68:9, 118:13	passage 96:9 passed 68:14, 73:3 passing 131:15 passion 132:9 past 21:12, 95:22, 97:15, 106:6, 127:4 pastor 11:18, 11:19, 12:11, 14:5, 129:20, 130:1, 130:3 pay 23:4, 23:5, 61:22, 62:17, 63:1, 97:20 penny 1:22, 2:17, 161:2 people 34:4, 40:20, 40:22, 51:7, 52:16, 53:6, 53:8, 91:18, 91:19, 127:10, 133:9, 136:15, 139:8, 139:12, 139:21, 139:22, 146:6 people's 127:11 percent 46:3, 46:8, 72:19, 72:22, 73:4, 73:9, 111:10, 111:19, 111:20, 111:22 percentages 48:6 percenters 113:14 performance 112:16
--	---	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

184

performed 91:3	pile 137:13	12:16, 12:17, 18:20, 22:22, 48:16, 58:13, 114:12, 117:7, 130:12	presenting 44:15
performing 112:14	place 78:20, 109:22, 114:13, 127:5	positions 39:11, 49:6, 135:13	preserving 7:6
period 12:5, 12:6, 127:18	places 11:10, 30:7	possibility 130:19	president 54:20, 55:1, 108:10
perry 156:22	plaintiffs 1:7, 3:2, 5:6	possible 122:21, 124:19, 141:15	pretty 10:17, 15:4, 24:15, 35:15, 51:7, 52:13, 52:14, 52:16, 52:19, 53:3, 60:3, 83:13
person 38:16, 100:19, 101:8, 114:2, 118:9, 121:13, 149:15	plan 93:14	possibly 148:17	prevention 62:4
personal 16:15, 16:18, 19:7, 20:11, 20:18, 20:21, 21:3, 25:7, 26:14, 26:15, 27:20, 29:5, 30:9, 47:3, 50:19, 58:14, 58:22	planning 51:3, 69:14, 69:15, 69:17, 69:19, 69:20, 93:3	post 105:7	previous 57:11
personally 156:15	platform 144:11	potential 94:19, 120:14, 155:4	previously 44:17, 150:4
perspective 126:22	please 6:19, 75:5	potentially 70:9, 108:4	price 102:2, 102:19
pertained 99:13	point 14:9, 25:13, 63:8, 69:1, 154:20	poverty 128:11	pricing 102:8, 106:13
pertaining 29:9, 30:15	police 61:19, 62:17, 85:12, 85:16, 96:2, 96:6, 144:3	powerpoint 45:22, 46:1	primarily 57:14
pertains 49:19	policy 60:7, 152:1	practices 96:2	princess 61:6
petula 54:20, 54:21, 87:8	political 9:20, 25:1, 32:17, 84:11, 84:14, 86:1, 86:8	predominantly 47:7, 47:15	printed 150:10
ph 10:11	politically 31:8	preface 14:7	prior 14:2, 15:12, 31:7, 35:19, 35:20, 35:22, 36:4, 36:7, 39:17, 57:17, 59:7, 59:8, 112:14, 125:17, 131:10, 133:12, 142:4, 145:13, 145:15, 151:11
phone 17:2, 21:21, 77:14, 77:16, 77:22, 86:7, 94:12, 130:14, 133:17, 133:18, 153:2, 153:5	polling 147:9	prepare 14:6, 14:9, 15:1, 26:21	priorities 59:21
picked 138:17	pop 56:5	prepared 141:10	priority 71:11
	population 46:19	preparing 15:16	private 70:9, 98:17, 106:13, 115:19,
	portion 106:2	prerogative 8:14	
	position 10:22, 12:14,	presence 42:7	
		present 3:22	
		presentation 43:8, 91:6, 91:7	

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

185

<p>120:21 privilege 8:5, 8:19, 70:10, 115:21 privileged 8:9, 8:17, 14:18, 121:1 privy 81:22, 95:15 probably 9:2, 9:13, 10:18, 11:4, 16:20, 25:10, 31:3, 32:3, 33:9, 37:18, 39:5, 39:17, 39:21, 53:7, 58:3, 67:16, 81:18, 82:7, 82:8, 120:16, 131:17, 132:5, 136:7, 137:1, 137:2, 141:6, 142:7, 142:8, 153:11, 157:8 problem 106:18 problems 60:16, 60:19 procedures 33:21, 33:22 proceed 115:9 proceeded 129:17 process 33:7, 33:14, 33:17, 35:8, 49:2, 49:16, 65:3, 65:5, 65:18, 65:20, 68:21, 69:7, 76:3, 96:22, 98:4, 114:5, 114:8, 120:12, 135:19, 141:19, 143:1 processes 33:20, 33:22,</p>	<p>117:1 prodan 157:2 production 140:11, 141:13 profession 151:10 professional 144:2 professor 17:21, 131:7, 131:9 program 98:9, 106:21, 107:16 programs 79:10 project 110:11, 110:12, 110:13, 110:16, 110:20, 111:15, 111:21 projects 34:21, 35:8, 40:14 promote 40:18, 97:1 pronounce 15:9 proper 66:3, 82:2 property 105:7 proportional 116:17 proposals 60:7 propose 65:3 proposed 67:12, 68:3, 68:15, 71:15, 93:11, 111:6 proposing 60:14 provide 35:4, 57:9, 86:22, 103:13,</p>	<p>121:21, 142:1 provided 41:17, 45:2, 56:15, 81:10, 101:13, 101:20, 142:10, 142:16, 150:5, 150:8 providing 109:5 pruden 108:7, 108:22, 109:12 pruden's 109:18 public 2:18, 9:22, 10:2, 10:13, 60:2, 61:17, 70:9, 84:2, 84:4, 126:3, 144:14, 150:14, 152:4, 161:1, 161:21 publicly 8:18, 155:5 published 96:12 pull 137:12 purchasing 89:8, 89:16, 90:12, 97:4, 97:8 purpose 158:18 pursuant 2:17 pursue 93:15, 99:5 pursuits 19:4 purview 97:8 push 71:13 pushback 74:17, 77:3, 78:1, 78:5,</p>	<p>81:15 pushed 73:22, 76:16 put 66:3, 72:6, 72:7, 120:5, 122:9 putting 27:6, 40:20, 63:13, 116:16, 117:11, 120:14</p> <hr/> <p>Q</p> <hr/> <p>quarterly 64:16 queen 47:8 question 6:16, 6:19, 7:1, 7:8, 7:14, 7:15, 8:8, 8:10, 27:2, 28:13, 45:9, 50:6, 50:9, 70:6, 115:17, 116:2, 119:10, 120:1 questions 6:7, 7:4, 7:18, 8:4, 14:8, 14:19, 52:17, 91:10, 91:20, 91:22, 135:12, 143:6, 158:14, 158:15, 158:16 quite 34:20, 91:22 quiz 56:6 quoted 111:7</p> <hr/> <p>R</p> <hr/> <p>race 147:12, 147:16, 147:22, 148:1 racial 46:21, 48:4, 63:1, 63:17,</p>
---	--	--	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

186

<p>126:21, 126:22, 127:2, 128:3 raise 94:11 raised 72:17, 94:8 ran 148:12, 148:13, 148:15 rates 105:7, 128:11, 128:12 rather 123:18, 137:12, 148:21 reach 53:19, 54:11, 54:14, 55:10, 73:8, 85:5, 103:21, 104:3, 130:8, 130:13, 139:8, 146:5 reached 13:21, 14:4, 57:7, 82:20, 88:20, 89:1, 100:3, 102:20, 102:22, 104:1, 108:3, 108:22, 134:12 reaching 40:21, 102:16, 104:19, 104:20, 157:3 read 97:15, 97:18, 123:6, 158:17, 159:2, 159:4, 160:3 reading 43:19, 45:9, 158:18, 161:8 reaffirm 44:14 really 34:8, 60:16, 66:16, 66:19, 81:22, 95:15,</p>	<p>116:8, 153:21 realtor 135:3, 135:4 realtors 144:8 realty 89:11 reason 7:17, 8:12, 8:14, 16:7, 78:4, 119:5 rebecca 89:15, 91:13 recall 28:9, 32:16, 34:21, 35:6, 35:11, 35:13, 36:13, 43:19, 49:10, 51:19, 71:4, 83:5, 92:11, 100:1, 100:3, 101:9, 101:10, 101:17, 118:6, 118:10, 119:13, 120:8, 126:11, 126:15, 126:18, 127:20, 127:21, 128:1, 130:21, 130:22, 131:3, 133:3, 133:11, 135:14, 136:9, 137:8, 142:18, 147:5, 152:15, 152:16, 156:6, 157:1, 157:14, 157:18 received 9:19, 9:21, 12:9, 15:20, 27:15, 27:17, 56:12, 73:15, 86:7, 86:12, 94:4, 102:1, 102:5, 128:19, 129:9, 131:21, 143:13 receiving 147:12</p>	<p>recent 125:11, 125:14, 125:15 recently 59:11, 70:14, 112:4 recess 59:18, 158:12 reciprocated 57:8 recollection 21:12, 31:14, 72:14, 73:5, 80:13, 83:6, 108:21, 131:2, 131:5 recommendations 96:13, 100:17 record 5:11, 6:1, 7:7, 29:19, 37:7, 59:17, 59:19, 92:21, 97:22, 161:5 recruit 114:11 redistricting 114:22 reduced 161:7 refer 17:4, 75:2 reference 25:7, 79:18 referenced 70:13 referendum 117:17, 117:19, 118:1, 118:11, 119:19, 120:6, 120:15 referred 25:18, 25:21, 99:18, 139:15, 139:20, 139:22, 140:4 referring 28:20, 64:9,</p>	<p>72:3, 74:12, 76:12, 124:7, 139:17 refresh 108:21, 131:1 refusing 8:17 regard 8:16, 103:7 regarding 88:20 regent 9:20, 10:3, 17:12, 18:16, 129:21, 131:7 registered 30:22, 31:2 registration 109:1, 131:18 regular 5:21 regularly 31:5, 53:9 regulate 35:5, 106:2 rehabilitation 68:19, 70:4 relate 8:8, 104:17 related 18:16, 28:18, 30:1, 30:16, 32:13, 41:20, 43:13, 68:3, 68:19, 82:9, 83:20, 96:2, 99:14, 142:2, 147:19, 155:20, 161:10 relates 67:22, 95:14, 98:3, 127:4 relating 14:19 relationship 58:15, 59:1, 59:3 release 103:10</p>
---	---	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

187

relevance 107:11 rely 51:3, 51:7 remember 15:3, 18:2, 21:13, 25:14, 29:15, 30:16, 31:15, 32:15, 34:9, 34:11, 45:13, 45:18, 53:15, 72:16, 82:13, 83:7, 85:10, 85:11, 85:13, 92:3, 102:12, 102:13, 102:15, 102:16, 104:11, 106:7, 108:5, 112:3, 114:12, 117:15, 117:17, 118:8, 120:11, 120:18, 121:3, 121:13, 123:2, 125:13, 125:16, 126:1, 127:7, 127:9, 127:10, 127:12, 129:1, 131:19, 133:1, 133:20, 134:1, 134:9, 134:10, 136:5, 138:3, 139:1, 139:3, 139:11, 140:6, 143:20, 147:17, 147:19, 148:4, 148:8, 148:9, 157:3 remind 70:7 repeat 50:9, 116:2 reported 1:22, 147:9 reporter 5:22, 6:3, 6:12, 46:12 reporter-notary 161:1	represent 122:10, 123:4 representation 115:15, 116:6, 116:13, 116:17, 116:21, 122:16 represented 79:16, 79:17, 123:11 represents 124:20 republican 147:20, 148:10 request 44:14, 66:5, 75:16, 93:2, 93:3, 93:6, 93:8, 98:21, 99:8, 99:21, 101:7, 109:18 requested 56:20, 98:8, 161:9 requesting 103:6 requests 121:15 required 111:11, 111:21, 118:12, 118:15 requirements 35:5 resign 112:11, 113:20, 157:20 resignation 112:7, 112:9, 112:15 resigned 112:5, 157:19 resistance 73:16 resolution 4:12, 49:22, 71:15, 72:3, 72:10, 73:3, 73:10, 92:8, 92:10, 96:10,	103:13, 117:3, 117:8, 117:12, 118:13 resolutions 49:19, 50:2, 50:4, 50:10, 67:12, 67:15 resolve 77:8, 80:21, 85:9 resolved 77:9, 77:17 resources 60:10, 64:14, 64:22, 65:1, 74:11, 74:18, 76:19, 78:7, 79:5, 82:9, 94:2, 122:9 respect 8:10, 60:6, 60:14, 60:20, 61:9, 61:22, 62:3, 73:16, 76:12, 80:10, 83:22, 112:20 responding 75:16 response 75:13, 76:8, 104:19, 137:10, 137:18, 138:11 responses 26:21 responsibilities 11:15 responsive 27:8, 27:13, 27:19, 29:1, 30:7, 56:14 rest 121:11 result 103:4 results 45:16, 70:14, 91:2, 91:5, 91:9 retreat 45:7, 125:1,	125:11, 125:14, 125:17 revenue 104:10, 104:20, 105:1, 105:16, 146:13 review 43:9, 65:11, 69:2, 69:4, 75:5, 84:6 revitalizing 110:13 revival 10:21, 11:3, 11:16, 11:21, 12:4, 12:8, 51:14, 130:2, 130:7, 156:20 rfp 114:11 right 13:1, 15:9, 23:7, 26:7, 28:8, 32:4, 32:8, 33:3, 36:21, 42:2, 42:16, 43:1, 43:15, 46:5, 46:16, 47:21, 48:17, 63:12, 65:14, 66:6, 72:19, 83:1, 84:12, 87:11, 87:14, 93:4, 97:18, 98:5, 98:10, 99:16, 101:4, 102:21, 104:21, 105:18, 106:14, 107:9, 109:5, 109:13, 112:5, 113:12, 118:17, 118:22, 119:8, 120:16, 123:20, 124:3, 124:21, 125:2, 127:19, 137:5, 138:1, 140:4, 141:2, 142:20,
--	--	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

188

144:9, 150:22, 151:20, 152:2, 153:17, 155:8, 158:2, 158:6, 158:17 rights 88:8, 88:10 riots 127:5 rise 60:21 river 9:18 rmr 1:22, 2:18, 161:2 roads 11:11, 30:17, 87:14, 143:20 robbie 14:5 robert 157:2 roberts 148:19 robin 23:18, 24:6 role 49:15, 49:16, 114:3 ron 149:9 room 2:8, 3:18, 113:7 rose 130:5 rosemary 4:20, 21:9, 25:19, 25:21, 37:9, 132:21, 133:19, 136:10, 136:21, 137:21, 138:14, 138:16, 139:16, 139:20, 140:5, 140:15, 142:13, 154:16, 158:4	roughly 123:18 rouse 21:13, 72:15, 101:11, 142:3, 147:20, 148:2, 148:5, 148:7, 148:11 rpr 1:22, 2:18, 161:2 rules 5:18 run 32:17, 42:9, 123:17, 124:2, 128:17, 130:12, 132:7, 132:12, 135:11, 136:18, 145:3, 148:17, 148:20, 151:11 running 31:16, 57:22, 58:13, 84:16, 129:4, 129:6, 130:19, 134:15, 144:12, 146:2, 149:2 runnymede 156:5 résumé 39:2, 39:4, 140:18, 141:1, 141:6, 141:8 <hr/> S <hr/> sabrina 1:14, 2:1, 4:2, 4:11, 5:3, 5:12, 22:19, 22:22, 23:1, 23:15, 24:2, 24:7, 51:6, 51:8, 155:22, 159:7, 160:2 safe 61:14 safest 62:7	safety 60:2, 60:11, 61:17, 68:6, 68:12, 144:14 said 8:21, 19:13, 28:18, 61:8, 62:17, 64:6, 65:18, 73:12, 84:9, 95:8, 100:5, 113:8, 134:13, 142:12, 158:21, 161:6 same 50:13, 160:4 sandler 81:12, 81:16, 82:11, 82:15, 82:18 satellite 91:4 satisfactorily 112:14 saturday 78:21 save 19:7, 20:6, 21:2 saved 19:22, 20:1, 29:6 saw 81:8, 89:4, 129:13, 129:14 say 6:2, 6:5, 9:2, 10:11, 25:1, 30:6, 44:5, 44:22, 47:22, 48:1, 48:8, 50:3, 53:13, 58:3, 59:20, 61:7, 61:11, 62:1, 63:4, 64:3, 66:5, 67:17, 73:11, 74:3, 74:4, 74:5, 74:8,	74:9, 77:4, 79:17, 80:15, 82:8, 84:15, 85:4, 90:9, 91:4, 94:21, 95:17, 99:12, 106:7, 109:8, 112:2, 113:6, 113:21, 114:17, 116:8, 116:22, 117:1, 119:15, 120:4, 121:5, 121:12, 123:21, 131:13, 134:11, 138:16, 139:2, 139:21, 140:16, 141:14, 146:15, 148:3, 152:22, 153:8, 153:22, 158:21 say-so 66:13, 67:6 saying 14:7, 111:8, 120:11, 143:14 says 44:13, 45:1, 93:3, 105:2, 105:17, 109:11, 140:15, 141:22 schedule 66:2, 143:3 scheduled 16:5, 16:6, 42:17 scheme 125:10, 125:22, 126:14 school 9:18, 60:9, 93:4, 93:7, 93:10, 93:17, 94:3, 127:20 schools 52:7, 60:11, 63:22, 84:2, 84:4, 85:18, 86:3, 127:15,
--	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

189

127:18 science 9:20 scope 49:11 screenshots 4:21, 150:13 sea 60:21 seal 161:14 search 27:22, 28:2, 29:12, 29:14, 29:17, 29:20, 29:22, 141:15, 142:8 searches 142:9 searching 29:11, 63:7, 141:16 seat 48:17, 124:20, 128:21, 129:12, 134:15, 151:9 seatack 47:8, 101:11, 101:18, 145:20 seats 148:21, 149:3 second 41:3, 41:22, 56:17, 79:1, 79:8, 79:16, 97:14, 107:9, 110:10 sector 98:17, 106:13 security 156:12 see 18:19, 43:5, 56:21, 62:12, 67:16, 68:10, 69:2, 85:6, 99:17, 105:5, 107:1, 111:9,	114:1, 114:4, 116:20, 131:14, 133:10, 134:22, 142:6, 142:7, 152:14 seeing 104:22, 133:3 seek 83:8 seen 63:20 segregated 127:14 selected 114:16 semester 18:8 seminar 64:16 senator 31:17 send 66:21, 69:8, 141:4, 143:15 sending 20:15 senior 11:17, 11:19 sense 69:3 sent 20:22, 21:8, 21:11, 21:12, 29:9, 30:18, 38:17, 39:2, 39:3, 43:18, 54:2, 54:3, 54:7, 57:11, 87:22, 92:18, 99:3, 114:11, 141:5 sentences 6:11 separately 42:13 september 1:16, 137:2, 161:15	sequence 105:13, 105:14 series 14:8, 76:18, 76:21, 78:2, 78:5, 78:9, 78:19, 104:16, 143:5 serve 39:15, 148:22 served 12:10, 31:11, 31:14, 31:17, 32:4, 33:2, 157:18 server 19:10, 19:13 servers 17:11, 19:7 service 19:17 services 19:12, 19:13, 19:14, 19:19 sessions 64:18 sessoms 43:18, 157:5, 157:7 set 19:16, 33:19, 45:22, 68:5, 73:9, 73:12, 83:19, 136:10, 143:3, 161:13 several 31:12, 61:6, 94:9, 114:17, 155:9 shake 6:2 shannon 41:10, 72:15 share 43:20 shared 20:5, 44:9 she'll 159:4	sheet 111:5, 111:15, 111:18, 158:21, 160:7 sheriff's 62:21, 85:5, 85:11, 85:16 shooting 68:6, 68:12 shootings 68:4 shorthand 161:1 shortly 12:17, 39:10, 131:20 should 56:11, 83:13, 92:5, 94:1, 94:3, 94:19, 108:6, 139:8, 140:1, 150:7 show 40:21 shut 127:17 sifen 153:19 sign 40:4, 158:17 signature 159:6, 160:11 signature-onxrw 161:19 signed 160:7 signing 101:18, 158:18, 161:9 simone 3:22 since 31:4, 34:19, 35:17, 51:20, 52:3, 53:17, 59:10, 67:13, 68:16, 96:12, 131:12
--	--	---	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

190

sister-in-law 155:21 sitting 130:21 six 16:21 size 62:8, 124:15 slack 21:16 slate 147:2 slates 147:11 slides 46:1 small 76:17, 79:4, 144:15 smith 43:4, 43:12, 151:22, 152:6 smith's 43:8, 43:20 snapchat 22:7 social 22:1, 22:3, 24:12, 24:19, 24:20, 28:21, 42:6, 42:7, 42:9, 50:18, 53:1, 144:18 solis 109:4, 109:7 some 17:16, 21:11, 21:12, 23:13, 25:7, 40:14, 51:5, 52:14, 53:9, 53:22, 62:2, 62:5, 66:2, 72:9, 74:12, 76:12, 77:2, 81:17, 89:3, 92:1, 92:4, 102:5, 103:6, 112:19,	113:1, 113:11, 114:14, 117:16, 117:20, 118:20, 119:20, 123:6, 128:9, 128:14, 129:16, 129:21, 139:4, 139:13, 145:3, 151:16, 151:22, 155:4 somebody 20:22, 105:16 someone 108:5, 114:11, 114:16, 133:20, 134:1, 134:3, 134:13, 136:13, 147:9 something 8:8, 22:9, 22:13, 30:15, 30:16, 32:2, 41:4, 62:14, 66:5, 66:18, 67:2, 69:2, 69:5, 81:4, 82:9, 82:14, 87:12, 89:12, 93:15, 97:7, 99:13, 99:15, 101:22, 105:2, 106:4, 107:16, 107:22, 108:2, 108:6, 109:1, 109:10, 109:19, 109:22, 110:15, 116:9, 117:9, 118:4, 118:9, 129:2, 130:16, 132:9, 137:2, 145:9, 147:19, 148:4, 148:9, 152:8 sometime 12:21, 34:13, 58:3, 129:1, 131:22 sometimes 52:7, 64:18,	64:19, 66:4 somewhere 11:4, 29:18 sorry 10:11, 19:14, 34:9, 76:2, 105:12, 110:3, 148:3, 150:17 sort 60:11, 61:14, 62:4, 64:1 sorts 141:2 sound 56:5 source 150:11, 150:14 speak 27:4, 44:6, 67:10, 75:22, 80:3, 85:21, 97:4, 104:9, 131:15 speaker 31:18, 58:19, 89:22 speakers 80:2, 80:4, 89:19 speaking 19:11 special 36:18, 37:5, 37:22, 109:8, 109:10 specific 17:3, 18:21, 30:2, 37:2, 44:6, 52:10, 53:14, 60:6, 61:2, 65:22, 90:9, 104:6, 106:8, 118:8, 126:18, 143:5 specifically 60:9, 60:13, 61:7, 64:9, 64:15, 66:10,	73:11, 74:12, 79:22, 88:21, 94:21, 97:3, 99:12, 107:18, 113:9, 114:17, 116:22, 120:8, 121:16, 129:8, 133:2, 139:2, 152:15, 157:15 specifics 35:6, 48:5, 92:3 speculation 93:19, 122:18 speculatory 120:3 spelling 159:1 spend 128:14 spoke 43:12, 130:2, 157:14 spoken 153:2, 153:4 sponsored 76:20 spring 131:22 spurred 129:6 st 63:11 staff 22:16, 22:21, 23:2, 50:21, 51:2, 65:7, 65:13, 66:15, 66:22, 71:19, 84:1, 84:3, 84:9, 89:7, 100:6, 100:16, 100:21, 101:1, 114:19 stakeholders 114:15 standing 36:22
---	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

191

stands 87:4 start 17:22, 22:21, 75:14, 104:17, 108:19 started 13:2, 13:5, 70:21, 78:14 starting 114:1 starts 75:10 state 5:10, 8:11, 119:10, 128:2 statement 103:7, 103:10, 123:12 statements 123:7, 152:5 states 1:1, 112:3 stating 45:5 statistics 95:17 statute 65:8 statute-based 50:1 stay 131:13 stems 93:8 stenographically 161:7 step 69:6, 69:8 step-by-step 97:17 stepping 128:20, 130:12 steps 65:22, 66:7, 69:12, 71:13, 91:9, 92:1, 96:11, 114:17	sticker 46:11 sticking 106:20 still 18:16, 30:18, 39:6, 63:10, 124:20, 127:12, 128:8 stone 88:13, 88:14, 88:19, 91:15, 91:16 strategist 25:1 strategy 60:17 street 3:6 stretch 59:15 strickland 88:7 string 4:13, 4:14, 4:15, 4:16, 4:17, 4:18 struggling 61:3 student 18:17 studies 18:7 study 44:16, 44:18, 44:21, 45:10, 45:12, 45:16, 68:1, 70:14, 70:15, 70:18, 71:3, 71:8, 71:11, 71:16, 73:13, 79:20, 80:10, 81:9, 83:9, 85:1, 87:1, 91:3, 92:4, 93:9, 93:16, 93:22, 94:4, 94:19,	96:12, 96:13, 100:7, 100:17, 100:20, 111:9, 152:10 subcontractors 111:11 subject 30:2, 30:3, 56:19, 70:10 subjects 52:15 subpoena 4:11, 4:20, 15:20, 27:7, 27:15, 27:17, 28:7, 29:10, 29:16, 29:21, 30:1, 30:16, 56:12, 56:18, 137:10, 138:11, 141:19, 141:22 substance 8:1, 14:12, 14:17 successful 44:20 suffering 128:8 suggest 100:20 suggested 100:22, 139:7 suggests 105:20 suite 3:7 summer 98:9, 132:1, 132:3 supplements 150:8 support 44:15, 71:3, 100:16, 112:7, 117:2, 117:10, 121:7, 142:13, 142:16, 146:13, 146:16, 146:17,	146:18, 147:2, 147:4, 157:10 supported 40:21, 101:7, 152:9 supporter 156:8, 156:17 supporting 36:21, 37:1, 38:2, 64:6, 147:5 supportive 60:8 supports 121:10, 123:1 supposed 69:1 sure 5:12, 6:18, 7:16, 9:17, 10:16, 19:9, 34:14, 37:3, 38:19, 42:7, 45:15, 48:2, 48:3, 50:15, 52:4, 58:3, 59:16, 60:8, 61:13, 62:19, 63:20, 64:11, 65:21, 66:15, 68:4, 70:1, 70:2, 73:20, 74:3, 74:11, 75:17, 77:7, 78:16, 80:15, 82:8, 87:4, 87:14, 95:11, 95:19, 96:19, 96:20, 97:3, 97:18, 99:13, 101:14, 101:16, 107:18, 112:2, 120:4, 121:12, 125:18, 132:6, 139:17, 141:7, 150:7, 153:15, 153:22, 156:3, 157:17, 158:11,
---	---	--	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

192

158:19 surrogate 31:18 susan 148:19 sutton 84:8, 85:22 swam 79:22, 80:6, 96:21, 101:1, 101:8 sworn 5:4, 48:13, 120:16 sylvia 88:6 system 117:3, 118:14, 118:22, 119:14, 119:20, 121:10, 121:17, 122:2, 122:6, 123:1, 124:3, 124:18 systemic 63:15	talked 88:21, 116:10, 120:21, 126:5, 126:6, 126:9, 126:16, 129:16 talking 113:13, 128:14, 131:3, 140:1, 147:18 talks 106:21 tameka 23:18, 24:6 tara 23:5 taylor 89:17, 91:14 tcc 82:14 teaching 18:6, 18:8 team 24:5, 24:7, 24:10, 25:20, 26:10, 51:9 telephone 50:19, 91:4 tell 9:15, 10:14, 14:10, 14:11, 14:12, 34:3, 49:15, 68:20, 76:5, 80:12, 102:4, 135:16, 144:4 tension 127:1, 127:3, 127:13 term 46:20, 111:5, 111:15, 111:18 terms 29:12, 29:14, 29:17, 29:20, 29:22, 81:1, 141:15 testified 46:14, 124:1	testify 5:5, 16:8, 119:10, 119:11 testifying 130:22 testimony 160:4, 160:6, 161:6 text 21:4, 21:7, 21:8, 21:20, 29:3, 113:12, 133:17 th 3:6, 16:6, 138:14, 161:14 thank 30:20, 138:18 thanking 137:22 theft 62:13 themselves 123:15 thereafter 161:7 thing 6:9, 7:13, 14:20, 27:14, 60:12, 61:15, 62:4, 64:1, 114:4, 158:22 things 8:15, 8:16, 8:17, 62:10, 115:9, 122:9, 142:2, 152:7 think 13:1, 13:5, 13:10, 16:20, 17:13, 21:11, 23:7, 23:20, 25:10, 32:3, 32:4, 32:7, 33:9, 33:13, 38:17, 39:13, 39:16, 41:3, 47:10, 47:13,	56:3, 60:3, 62:5, 63:19, 66:13, 67:16, 69:13, 78:14, 80:15, 80:16, 81:20, 82:13, 82:15, 87:3, 87:11, 90:21, 92:11, 94:19, 102:21, 103:19, 104:6, 113:18, 115:8, 119:17, 120:8, 121:5, 122:6, 122:15, 127:7, 129:2, 129:6, 129:20, 130:15, 130:16, 130:20, 136:14, 137:17, 142:12, 144:9, 145:7, 145:8, 150:22, 153:20, 158:9 thinking 28:19, 57:22, 61:9, 129:8, 141:7, 149:16 thinks 105:6 third 78:20, 79:9, 93:2 thompson 140:9, 151:19, 151:22, 152:5, 152:9, 152:13, 153:14, 153:16 thought 19:13, 82:1, 83:13, 122:20, 141:19 thoughts 65:7, 129:17 three 55:8, 67:16, 134:20 through 25:6, 27:20, 28:3, 28:5,
T			
take 6:1, 6:4, 6:12, 7:12, 7:15, 66:16, 76:1, 77:13, 78:20, 110:20, 115:2, 115:5 taken 59:18, 61:22, 66:7, 71:13, 96:11, 158:12, 161:4, 161:6 taking 48:16 talk 6:10, 15:21, 26:18, 71:19, 75:12, 134:14, 136:12, 136:15, 143:4, 153:12, 157:13			

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

193

28:16, 28:21, 30:11, 57:11, 58:17, 58:18, 65:18, 69:13, 69:14, 82:5, 90:15, 90:16, 136:1, 137:12, 138:13, 154:2, 154:3, 154:16, 154:18, 157:8, 158:19 ticket 147:20, 147:21, 148:5, 148:10 tide 60:22 tidewater 144:3, 157:22 tim 31:15 time 7:3, 12:5, 12:6, 13:12, 16:8, 16:9, 17:18, 21:14, 30:3, 31:3, 31:18, 38:16, 46:18, 54:20, 57:20, 57:21, 57:22, 66:3, 105:13, 105:14, 111:6, 116:1, 120:13, 127:13, 127:18, 128:14, 132:8, 134:9, 141:20, 142:10, 153:21, 154:22 timeline 69:21 times 70:13, 134:18, 134:20, 152:12, 152:22, 153:1, 153:4 title 5:10, 25:2, 104:6, 106:8 today 7:18, 8:4,	14:7, 15:1, 15:22, 16:3, 63:5, 63:6, 115:9, 125:20, 126:13 together 40:20, 65:8 told 14:10, 14:13, 14:15, 100:15, 106:12, 117:4, 117:5, 117:22, 119:12, 134:2, 136:12, 139:22 tolentino 89:6, 91:14 took 91:9, 91:22, 109:22, 127:5 tools 64:12, 64:14 top 17:5, 77:12, 106:11 topic 45:5, 52:11, 83:15, 104:17 totality 24:9 touch 131:11 tourism 64:4, 64:5, 106:7, 106:8, 136:6 towards 75:4, 111:7 town 52:11 trafficking 144:15 tragedy 63:13 transcribed 158:20 transcript 41:15, 56:10, 72:2, 74:22,	83:18, 92:16, 97:12, 104:15, 108:14, 110:9, 138:10, 150:3, 161:5 transcription 160:5 trap 106:22, 107:15 treatment 94:20 trial 16:5 trucks 34:22, 35:2, 35:5 true 160:4, 161:5 trusted 129:16, 129:19, 132:11 truthfully 7:18 try 111:9 trying 5:22, 85:10, 123:2, 133:20, 134:1 tuesday 1:16, 125:5 turn 45:19, 56:17, 76:5 twice 131:1 twitter 22:5, 53:2 two 18:10, 18:11, 38:2, 51:7, 55:8, 77:14, 79:12, 92:18, 134:20, 135:6, 140:14, 158:8 two-way 14:16 type 14:20, 82:12,	103:6 types 19:6, 144:17 typewriting 161:8 typewritten 150:9 <hr/> U <hr/> uh-huh 6:3, 7:5, 7:9, 8:13, 18:5, 26:5, 52:9, 62:15, 63:9, 64:2, 64:8, 65:9, 68:2, 84:5, 89:2, 113:2, 120:10, 122:11, 135:5, 135:15, 151:4 uh-uh 6:2, 132:13 ultimately 66:14, 78:8, 80:18, 81:10, 82:10, 98:12, 98:20, 99:21, 100:13, 103:12, 104:9, 106:16, 109:11 under 5:5, 43:3, 97:8, 97:21, 124:18, 161:8 understand 6:19, 8:19, 44:16, 76:15, 78:1, 100:15, 114:10 understanding 49:15, 57:13, 76:22, 77:6, 98:16, 117:15, 118:11, 124:14, 136:18, 143:15 understood 7:1, 119:16 unequivocally 74:5
--	--	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

194

<p>unfair 119:15, 119:19, 120:11 united 1:1 university 9:21, 10:3, 10:4, 10:7, 17:19, 129:22, 131:8 unless 7:7, 17:5 upset 112:20 use 6:4, 19:7, 19:12, 19:18, 20:8, 20:13, 20:17, 20:18, 21:15, 29:12, 29:14, 29:22, 64:12, 76:19, 111:10, 124:15, 145:2 uses 19:10 using 37:12, 141:9 usually 6:10, 22:11, 35:15, 53:1, 53:5, 55:3, 133:18, 134:21</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>va 2:9, 3:19 van 106:3, 106:5, 136:7 various 51:3, 88:2, 121:21 vary 55:5 vbea 143:20, 143:22 vbgov 28:5, 28:16,</p>	<p>28:17, 30:8 venture 89:10, 89:11 venue 82:16 verbal 6:4, 121:3 verbalized 116:10, 123:3 verbalizing 120:9, 121:14 version 141:9 vice 39:13, 39:15, 39:16 view 86:4, 119:20 villanueva 149:9 virginia 1:2, 1:9, 1:15, 2:5, 2:9, 2:19, 3:11, 3:15, 3:19, 5:13, 7:20, 8:21, 9:1, 9:5, 9:7, 11:22, 19:22, 33:2, 33:7, 35:21, 36:15, 36:19, 38:6, 43:14, 43:22, 44:4, 46:15, 46:19, 53:20, 59:4, 60:19, 61:19, 63:5, 63:16, 84:2, 84:3, 85:5, 87:20, 88:18, 95:18, 106:3, 108:10, 110:16, 112:18, 113:19, 114:22, 116:18, 118:21, 119:18, 122:3, 123:19, 124:15, 126:20, 127:14, 127:17, 128:2, 128:8, 144:1,</p>	<p>144:2, 144:8, 146:3, 150:19, 157:6, 161:22 vision 112:18 voiced 84:1, 119:2 volunteer 23:1, 23:15, 51:10, 51:15, 61:20, 147:16 volunteered 31:11, 32:5, 37:21 volunteers 22:20, 23:3, 23:13, 23:21, 24:4, 51:4, 51:5 vote 31:5, 45:2, 65:12, 66:19, 67:2, 69:22, 92:9, 106:22, 107:15, 110:20, 111:3, 120:6, 121:6 voted 111:5 voter 30:22, 31:2, 107:20, 108:22, 109:18, 109:21, 131:18, 147:12, 147:16, 148:1, 148:6, 148:7 voters 123:11, 123:19, 147:15 votes 68:7 voting 117:3, 124:16 vpap 4:21, 150:13</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>waived 159:6</p>	<p>walden 10:4, 10:5, 10:7 want 8:15, 14:9, 17:3, 22:20, 24:22, 26:18, 52:17, 56:17, 67:2, 67:3, 69:5, 93:6, 97:15, 97:20, 106:7, 108:15, 108:17, 111:11, 115:2, 115:7, 119:5, 140:16 wanted 21:1, 40:8, 66:19, 72:10, 80:13, 81:13, 99:4, 110:10, 111:9, 134:14, 135:10, 135:16, 148:22 wanting 93:9, 135:9 warner's 31:17 washington 3:8 water 89:12, 102:1, 107:17, 107:22, 109:2, 109:10, 109:19, 110:1 way 23:4, 27:5, 27:7, 59:8, 65:11, 65:18, 114:21 ways 50:16, 75:4, 157:11 we'll 6:2, 59:17, 59:19, 108:19, 110:7, 115:5, 138:8, 149:21, 158:9</p>
---	---	---	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

195

<p>we're 68:22, 95:19, 95:20, 96:16, 97:17, 97:22, 114:1 we've 26:17, 26:19, 116:10, 125:19, 126:12, 150:8, 159:1 website 13:19, 40:10 wednesday 35:16 weeks 18:4 went 9:18, 9:19, 9:20, 27:11, 29:21, 91:6, 117:9, 143:2, 143:4 weren't 114:21 whatever 29:9, 29:15, 30:2, 52:16, 64:21, 142:10, 150:10 whatnot 20:17 whatsapp 21:16 whenever 7:12, 125:11 whereof 161:13 whereupon 5:2 whether 14:19, 63:16, 64:21, 121:7, 148:1 whitaker 89:9, 89:10, 91:13, 103:17, 109:15 white 148:7</p>	<p>whole 75:5, 136:17, 137:13, 146:10 wildlife 68:19, 70:4 wile 1:22, 2:17, 161:2 williams 89:22, 90:14, 91:13 wilson 4:20, 21:9, 24:14, 24:20, 25:4, 25:6, 25:19, 37:9, 38:3, 51:6, 132:21, 133:19, 136:21, 137:22, 138:12, 138:14, 139:16, 139:20, 140:5, 140:15, 140:19, 141:10, 142:13, 154:16, 158:4 wilson's 140:11, 141:13 win 124:20 wind 60:22 windsor 61:5 wish 8:4, 115:21 without 99:11 witness 161:13 wolfe 23:16, 23:18 woman-owned 46:4 won 12:17, 157:17 wondering 57:5 wood 21:8, 133:10,</p>	<p>142:15 woods 61:5 wooten 1:14, 2:1, 4:2, 4:9, 4:11, 5:3, 5:8, 5:12, 8:7, 28:1, 59:20, 142:3, 155:17, 155:22, 158:13, 159:7, 160:2 wooten's 75:13 wootensabrina@gm- ail 28:1, 28:11, 30:8, 39:5, 57:1 word 24:21, 45:10, 158:22 words 74:7 work 17:19, 18:21, 18:22, 23:6, 23:9, 25:7, 36:3, 50:21, 59:21, 65:7, 67:1, 90:3 worked 10:17, 11:10, 11:11, 11:12, 11:17, 24:4, 34:22, 35:12, 35:20, 36:14, 40:15, 40:17, 90:8, 103:21, 117:21, 146:18 workforce 62:20 working 10:1, 12:4, 61:16, 66:14, 68:22, 69:10, 69:11, 70:3, 70:7, 90:11, 147:10 works 65:11, 68:17,</p>	<p>89:7, 104:7 workshop 61:4, 126:5 workshops 48:22 wouldn't 16:7, 28:3, 28:5, 105:17, 116:8, 147:6 writes 106:1 written 123:9, 123:14 wrote 77:2, 85:4 <hr/>Y<hr/>yahoo 17:10 yeah 27:16, 75:21, 86:18, 103:18, 152:20 year 13:2, 13:6, 13:9, 18:3, 39:17, 40:18, 98:4, 111:1, 125:1, 125:7 years 7:22, 8:22, 9:14, 10:18, 11:2, 11:3, 19:2, 31:16, 46:15, 70:19 yesterday 15:2, 125:11 young 23:19 yourself 147:4 youth 98:9 <hr/>\$<hr/>\$250 158:5 \$30,000 96:15</p>
--	---	---	---

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

196

<p>\$84,000 98:8, 98:12, 98:21</p> <hr/> <p>0</p> <hr/> <p>00 159:8 00069 1:8 047 99:9, 99:10 07430 4:18 07439 4:18 07836 4:17 07840 104:18 07848 4:17 08084 4:15 08089 92:22 08090 4:15, 92:22 08136 4:14 08140 4:14 08175 4:13 08280 4:13 08510 4:16, 98:1 08511 98:1 08540 4:16</p> <hr/> <p>1</p> <hr/> <p>10 1:17, 4:10, 4:19, 41:19, 46:3, 46:8, 53:7, 72:19,</p>	<p>72:22, 73:4, 85:4, 110:7, 110:8, 111:10, 111:19 10118 4:19 10309 4:19 104 4:17 108 4:18 11 4:20, 9:14, 10:18, 138:8, 138:9, 149:21 110 4:19 1101 3:6 12 4:21, 9:14, 72:19, 73:9, 111:20, 111:22, 149:22, 150:1, 150:2 12853 42:19, 42:21 12862 45:19 12954 4:12 13 43:1 138 4:20 14 3:6, 16:6 15 1:17, 7:22, 8:22, 46:15, 59:14, 138:14 150 4:21 161 1:21 17 1:16, 4:10</p>	<p>18 1:8, 31:4 19 141:22 1997 11:7, 11:8</p> <hr/> <p>2</p> <hr/> <p>2 159:8 20 53:7, 53:8 20005 3:8 2003 11:4, 11:9 2008 46:2, 72:21, 73:2 2011 44:14, 44:18, 44:21, 48:9, 114:22 2014 131:10 2015 34:14, 38:7 2016 39:18, 39:21 2017 13:3, 13:5, 13:6, 13:10, 39:18, 41:19, 43:1, 45:14 2018 11:5, 12:8, 12:9, 12:19, 31:7, 35:20, 36:7, 36:15, 48:15, 56:20, 57:18, 58:4, 58:7, 59:1, 59:5, 72:21, 116:16, 129:2, 129:9, 134:10, 138:15, 142:5, 151:9, 155:1, 157:19</p>	<p>2019 1:16, 18:3, 32:18, 36:18, 37:4, 37:22, 85:4, 86:16, 161:15 202 3:9 2020 16:6, 98:4 2021 161:16 22 79:2 2200 3:9 23456 2:9, 3:19 2401 2:6, 3:16 250 91:19 26 161:14 260 2:8, 3:18 262114 1:20 2:cv 1:8</p> <hr/> <p>3</p> <hr/> <p>3 99:9, 99:10 30 9:3 30,000 123:18 300,000 123:18 31 63:11, 161:16 35 79:17 385 2:10, 3:20 39 105:11</p>
---	--	---	--

Transcript of Sabrina D. Wooten
Conducted on September 17, 2019

197

4	97	
400	4:16, 127:8	
3:7	@	
41	@vbgov	
4:10	16:13	
4351		
2:10, 3:20		
5		
56		
4:11		
7		
70		
79:15		
72		
4:12		
736		
3:9		
74		
4:13		
7432		
108:18		
7436		
108:18, 108:19		
757		
2:10, 3:20		
7836		
106:21		
7837		
106:10		
7839		
105:11		
8		
8187		
86:15		
8275		
75:3, 75:13,		
77:12, 78:12		
8276		
75:13		
83		
4:14		
9		
92		
4:15		